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of
WITNESSES

Defense' Witnesses

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10 SEPTEMBER 1947

I N D E X

Of

EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2483	3158		Affidavit of H.G.W. Woodhead (with the exception of para- graphs 10 and 11)		28075
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1 Wednesday, 10 September 1947

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3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, all Members sitting, with
14 the exception of: HONORABLE JUSTICE R. B. PAL, Member
15 from India, not sitting from 0930 to 1600.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 - - -

19 (English to Japanese and Japanese
20 to English interpretation was made by the
21 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: I understand from the chair-
4 man of the American defense counsel that arrangements
5 are likely to be made for the representation of the
6 accused, HIROTA, by American counsel and that, for
7 the time being, there is no need for the Court to take
8 any action.

9 Mr. Blakeney.

10 MR. BLAKENEY: When Court recessed yesterday,
11 I was offering in evidence, pro forma, the certifi-
12 cate of provenance of exhibit 2,714. The certificate,
13 together with the photostatic copy of the exhibit,
14 was prepared and was distributed to bench and bar
15 during the recess. I, therefore, make the offer only
16 in order that the certificate may appear in the re-
17 cord of proceedings.

18 And, lastly, I offer in evidence defense
19 document No. 2,473, the affidavit of H. G. W. Wood-
20 head.

21 THE PRESIDENT: Mr. Tavenner.

22 MR. TAVENNER: If the Tribunal please, ob-
23 jection is made to the introduction of this affidavit
24 on two grounds. The first ground is that there is no
25 proper foundation for the introduction of this affi-

1 davit. The witness, Pu-Yi, was asked two questions
2 relating to matters contained in a certain book
3 written by the present affiant, and he admitted mak-
4 ing both statements. Therefore, there is nothing to
5 rebut that regard. Your Honor, the President of
6 the Tribunal, very properly remarked at the time,
7 "Of course, the attitude of the witness may make it
8 unnecessary to call Woodhead. It is simply this:
9 "If I said it, and I don't remember saying it, it
10 was just propaganda." The first question was asked
11 at page 4,108 of the transcript, and the second ques-
12 tion was asked at page 4,133 of the transcript. For
13 those reasons I think it is improper to now present
14 evidence showing statements were made that were ad-
15 mitted by the witness to have been made.

16 THE PRESIDENT: Well, the witness said, "If
17 I said it, and I don't remember saying it, it was
18 just propaganda." Is that an admission?

19 MR. TAVENNER: If the Tribunal please, if
20 all of that testimony is read I think it would be
21 perfectly plain that it is an admission. It is
22 certainly not a denial.

23 As to the second question, I refer to the
24 question and answer as made which would remove any
25 doubt, it would seem to me, on that point:

1 Question by Mr. Blakeney: "Now, am I to
2 understand that for motives of your own you did make
3 to Mr. Woodhead substantially the statement I have
4 put to you?"

5 Answer: "Yes. I was asked to say that by
6 ITAGAKI. I had no other way."

7 THE PRESIDENT: This affidavit of Woodhead,
8 if admitted, may show that ITAGAKI was not mentioned
9 at the time to Woodhead, but what he said about
10 ITAGAKI in the box was an afterthought and not men-
11 tioned to Woodhead.

12 MR. TAVENNER: That would seem not to go to
13 the point as the only point involved is whether or
14 not he made the statements that were presented in
15 the course of cross-examination.

16 The second objection is that the witness is
17 not available for cross-examination even if it were
18 permissible to introduce this affidavit. In addition
19 to all of that, the affidavit goes far beyond the
20 two questions that were involved in the cross-examin-
21 ation.
22

23 MR. BLAKENEY: Before replying to the spec-
24 ific objections, I should like to mention that at
25 the time the defense Russian evidence was being pre-
sented, I offered in evidence the book itself from

1 which were taken the excerpts put to Pu-Yi in cross-
2 examination. The objection which was then success-
3 fully raised by the prosecution was to the offering
4 in evidence of the book rather than the statement
5 directly from the witness. The suggestion was not
6 made then that the material in question did not serve
7 as impeachment of the testimony of the witness.

8 Now, to deal with the objections made by
9 Mr. Tavenner, I think it plain, from what he quoted
10 of the cross-examination of Pu-Yi, that the affidavit
11 now under consideration is impeachment of the testi-
12 mony of Pu-Yi in regard to whether he made the state-
13 ments for, while it is true that Pu-Yi did testify
14 that certain statements were made by him under com-
15 pulsion and as propaganda, a reading of his entire
16 testify discloses unequivocally, I think, that he
17 never outright admitted nor denied the making of the
18 statements attributed to him by Mr. Woodhead. More-
19 over, the affidavit of Mr. Woodhead now being pre-
20 sented serves to impeach the witness, Pu-Yi, in his
21 statement that such remarks, if made, were made un-
22 truthfully or, I should say, insincerely because Mr.
23 Woodhead's testimony shows clearly that he was carry-
24 ing on confidential, personal conversations with Pu-
25 Yi and that in his conversations with Pu-Yi he made

1 clearly apparent the moment at which he changed from
2 confidential, personal discussion to discussion for
3 the record or for quotation.

4 The affidavit, moreover, shows the type of
5 personal relations existing between the two men,
6 Woodhead and Pu-Yi, from which the Tribunal, I sub-
7 mit, may be able to draw its conclusion as to whether
8 Pu-Yi was telling the truth when he said that, to
9 such a man on such an occasion, he spread propaganda.
10 That is, there must be some people to whom the most
11 assiduous propagandist tells the truth; and I leave
12 it to the Tribunal whether the relations appearing
13 from this affidavit that existed between these two
14 would not lead to the conclusion that this is such a
15 man as would have heard the truth from Pu-Yi.
16

17 Now, the further objection is made that
18 parts of this affidavit do not tend to impeach Pu-
19 Yi in this matter; and it is quite true, I confess,
20 that parts of the affidavit are merely affirmative
21 evidence for the defense to show conditions prevail-
22 ing in Manchuria and to help the Tribunal to draw
23 its conclusion concerning them. Other parts of the
24 affidavit, however, do tend to impeach the witness,
25 Pu-Yi. What Mr. Woodhead saw in Manchuria may, in
some regard, be impeachment of Pu-Yi's testimony.

1 The final objection made is that there is
2 no opportunity for cross-examination of the witness.
3 I do rather think that that question has been dis-
4 cussed until it is threadbare, but I must repeat that
5 in this instance I applied for a subpoena for the
6 witness, Woodhead; I was given, instead, an order
7 that facilities be made available for the taking of
8 his testimony. I took the testimony in the form of
9 affidavit which the President of the Tribunal has,
10 on more than one occasion, ruled to be a compliance
11 with the order for facilities for taking testimony.
12 If the prosecution desire to cross-examine Mr. Wood-
13 head, they have at their disposal every facility for
14 doing so, either corporeally or in the form of
15 counter-affidavits. I cannot produce Mr. Woodhead,
16 but I should do so only too gladly if I could.

17
18 THE PRESIDENT: You concede much of your
19 affidavit is merely affirmative of the defense evi-
20 dence; you are not questioning that part, Major
21 Blakeney, are you? Could that be struck out?

22 MR. BLAKENEY: I don't know why it should
23 be, your Honor. We are now presenting defense evi-
24 dence.

25 THE PRESIDENT: Merely affirmative, I under-
stood you to say, of other evidence.

1 MR. BLAKENEY: Affirmative, I meant, as
2 distinguished from impeachment evidence.

3 MR. TAVENNER: If the Tribunal please --

4 THE PRESIDENT: Mr. Tavenner.

5 MR. TAVENNER: (Continuing) -- may I be
6 heard further in the light of statements made by
7 counsel in his argument which were not directly
8 covered before?
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1 THE PRESIDENT: Well, Mr. Tavenner, in any
2 national court we are rather peremptory in dealing
3 with objections but here the real question is always
4 probative value and it requires some argument to come
5 to a conclusion about that, but we would like the
6 arguments to be as brief as possible.

7 MR. TAVENNER: There are just two matters
8 that I desire to refer to. The first is this, that
9 the Tribunal admonished counsel to this effect during
10 the taking of the cross-examination: "I think my
11 colleagues want you to put to him all the evidence that
12 you propose to call."

13 Now, in response to that, two questions were
14 asked and two questions were answered. We submit
15 that it is not proper to in any way enlarge, in
16 attempting to rebut testimony, by giving additional
17 information not obtained, not appearing in those two
18 questions, because the witness was not confronted
19 with any other material and was not given an oppor-
20 tunity to explain anything else.

21 THE PRESIDENT: That is always a considera-
22 tion, but nothing more.

23 MR. TAVENNER: The other matter is this:
24 counsel has stated that his purpose is to impeach the
25 testimony of Henry Pu-Yi. That is a collateral

1 matter and is not subject to impeachment in this
2 manner.

3 THE PRESIDENT: Credibility is always a
4 collateral matter except where bias or something of
5 the sort is concerned. You can always prove bias.

6 Major Blakeney.

7 MR. BLAKENEY: I do not think that requires
8 any answer, your Honor.

9 THE PRESIDENT: Is this merely a matter of
10 impugning the credibility of the witness, or does it
11 go to the issue, or is it relevant to the issue?
12 That is a new and serious point raised by Mr.
13 Tavenner.

14 MR. BLAKENEY: I did not think it was new,
15 because I had tried to make it clear that in my opin-
16 ion this evidence is both evidence in impeachment and
17 affirmative evidence in support of the defenses being
18 presented. It is impeachment in that it contains not
19 only the passages put to Pu-Yi in cross-examination
20 but also in that it contains traverses or negations
21 of other things testified to by him.

22 It constitutes affirmative evidence in sup-
23 port of the defense to the extent that it shows con-
24 ditions as found by Woodhead in Manchuria; for example,
25 in his statement of the conditions in which he found

1 the Emperor of Manchukuo living, and on a few other
2 points as well.

3 As to whether a witness can properly be im-
4 peached by proof of his prior inconsistent statements,
5 even if it is a collateral matter, I never knew it to
6 be objected to in any Tribunal.

7 I therefore submit that the objections are
8 ill taken and the document is admissible.

9 THE PRESIDENT: By a majority the objections
10 are sustained in part and rejected in part. The docu-
11 ment with the exception of paragraphs 10 and 11 is
12 admitted on the usual terms.

13 CLERK OF THE COURT: Defense document No.
14 2483 will receive exhibit No. 3158.

15 (Whereupon, the document above
16 referred to was marked defense exhibit No.
17 3158 and received in evidence.)

18 MR. BLAKENEY: I read exhibit 3158, which,
19 omitting the formal parts, is as follows:

20 "1. I have been acquainted with the former
21 Ch'ing Emperor, sometimes known as Henry P'u-yi, for
22 a great many years, and especially during the years
23 that he resided in Tientsin I was a close friend, saw
24 him often and was well acquainted with his personality
25 and character.

1 "2. In September 1932 I made a visit to Man-
2 churia to study the situation. After brief visits to
3 Dairen and Mukden I proceeded to Changchun, the new
4 capital. I had hardly reached the hotel there when a
5 young Chinese Foreign Office official called to say
6 that the Chief Executive, Mr. P'u-yi, had heard of my
7 coming, and would be pleased to receive me at 10:30
8 next morning. This young man, Mr. Yu, who can con-
9 verse equally readily in Chinese, English, Japanese
10 and Russian, called for me in good time and escorted
11 me to the former Emperor's residence. After a wait
12 of a few minutes in the official reception room, a
13 message was received that the Chief Executive would
14 see me in his private apartments, to which I was
15 immediately conducted.

16 "3. The former Emperor greeted me with ob-
17 vious pleasure, and had scarcely invited me to be
18 seated before he remarked that on one of the last
19 occasions on which I had seen him, in October 1930,
20 at a private lunch in Tientsin, I had remarked that
21 perhaps next time we met he might not be so access-
22 ible; that I might have to invoke the assistance of
23 a Foreign Office official. 'You see,' he observed,
24 'that your prophecy has been fulfilled.' After I had
25 inquired after the Empress, and he had asked for

1 information regarding several of his former foreign
2 friends in Tientsin, I told him that later I should
3 like to put some formal questions to him for my news-
4 paper articles, but asked whether first I might put
5 some personal and unusually frank questions, as a
6 friend. He answered that I might ask him anything
7 that I liked.

8 "4. I then said that it would be of interest
9 to many of his friends to know whether he was really
10 happy in his present position. He replied with emphasis
11 that he was.

12 "Was he busy?

13 "Not, he said, so busy at the moment as he
14 was a few months ago. The administrative machinery was
15 now better organized, and though he devoted a consider-
16 able portion of every day to state business, he was
17 not too busy to find time to see his friends.

18 "5. I then remarked that the general im-
19 pression that prevailed in Shanghai and indeed
20 throughout China was that he had been coerced into
21 his present position, and that he was not a free agent.

22 "From this report he emphatically dissented.
23 He had, he maintained, been actuated by a double
24 motive in accepting the office of Chief Executive.
25 First, on account of political reasons. When the

1 Manchu Dynasty abdicated it had been with the avowed
2 intention of restoring the sovereignty to the people.
3 Twenty years had elapsed since, but what had been the
4 result? The political power had passed not into the
5 hands of the people, but of ambitious and grasping
6 militarists. There had been incessant civil war and
7 disorder. The welfare of the people had been en-
8 tirely disregarded. They had been tyrannized over and
9 oppressed. China's relations with Foreign Powers had
10 grown steadily worse. And the pledge made in the
11 Abdication Treaty that absolute equality would be
12 maintained between the five races of China had been
13 flagrantly violated.

14 "Secondly, he was actuated by personal mot-
15 ives. Manchuria was his ancestral home. It was only
16 natural that he should feel greatly interested in what
17 was happening in this territory. Moreover, every
18 undertaking to the Manchu Dynasty contained in the
19 Abdication Agreement had been wantonly violated. The
20 allowance to be paid to him by the State had been
21 cancelled. His private property had been confiscated.
22 He had been treated with studied disrespect by the
23 Kuomintang. And the ancestral tombs had been violat-
24 ed, and no serious attempt made to secure the restora-
25 tion of the treasures stolen from them.

1 "It was only natural, therefore, that when
2 trouble occurred in Manchuria he should follow develop-
3 ments with great attention and wonder whether he was
4 not destined to play some part in an attempt to im-
5 prove the condition of his ancestral provinces.
6 Emmissaries of the separatist movement called upon
7 him in Tientsin and urged him to proceed to Manchuria.
8 And at last he felt that if he were ever to go he must
9 go forthwith or he might find it impossible to leave.

10 "The possibility of a restoration movement,
11 he said, was obviously known to and feared by General
12 Chiang Kai-shek, who offered temporarily to restore
13 the Conditions of Favourable Treatment if he (P'u-yi)
14 would repudiate it. He had intimated, however, that
15 material considerations would not influence him; that
16 the Republican Government could best fulfill its
17 responsibilities by concerning itself with the welfare
18 of the people, by giving them good government, and by
19 restoring internal peace. If it had Tls. 4,000,000
20 (the amount of the Emperor's annual pension, as stipu-
21 lated in the Abdication Agreement) to spend, let it
22 spend that sum on relieving existing poverty in China.

23
24 "6. When he had decided to leave Tientsin for
25 Manchuria he did not even take the Japanese Consul-
General into his confidence.

1 "Then the story that you were kidnapped and
2 sent to Port Arthur under Japanese escort on a de-
3 stroyer is not true?"

4 "Mr. P'u-yi, who understands English quite
5 well, threw back his head and roared with laughter.
6 'Kidnapped?' he said, 'Kidnapped? No, no.'

7 "I told him that that was the version of his
8 departure from Tientsin that was widely current and
9 generally believed, and asked whether I might be told
10 the actual details of his movements, adding that what
11 he had told me up till then was confidential, but that
12 as a matter of historical interest I should like to
13 know exactly what happened when he left Tientsin.

14 "Mr. P'u-yi replied that his movements had
15 had to be kept secret for two reasons: first, because
16 his departure from Tientsin might have been frustrated;
17 secondly, because he would have been in considerable
18 danger of assassination had his whereabouts been re-
19 vealed.
20

21 "He left Tientsin just as the trouble be-
22 tween the Japanese and Chinese in that city started,
23 and traveled direct to Yinkow (Newchwang) on the
24 steamer Awachi Maru. He left a letter behind to be
25 delivered to the Japanese Consul-General informing him
of the departure, and asking him to afford adequate

1 protection to the Empress (who remained in his resi-
2 dence in the Japanese Concession) when she followed.
3 From Newchwang he proceeded to Tang Kung Tzu (the hot
4 springs between Liaoyang and Tashihchao), where he
5 remained only a couple of days, returning to meet his
6 wife at Port Arthur. She also traveled on an ordinary
7 steamer. The next few weeks were spent at that center,
8 where he amused himself by studying the siege opera-
9 tions in the Russo-Japanese War and visiting the ruins
10 of the former Russian fortifications. He and his wife
11 then returned to Tang Kung Tzu, where they lived
12 quietly until he proceeded to Changchun. When he was
13 convinced that it was his duty to go north and assume
14 the office of Chief Executive, he went straight
15 through to Changchun by train. At no time, in
16 Tientsin, in the Leased Territory, or in Manchuria,
17 was he ever under any restraint, nor was any coercion
18 applied to him.

19 "7. The former Emperor emphasized that I had
20 seen from my own experience how nonsensical the stories
21 told about his position in Changchun were. Here we
22 were, talking without restriction, with only a young
23 Chinese present, who made no attempt to direct the
24 course of conversation, and who only interpreted my
25 remarks and questions when Mr. P'u-yi did not under-

1 stand them, with no Japanese within hearing, and ab-
2 solutely no restriction upon the topics discussed.
3 Could I, he asked, really believe that he was
4 virtually a state prisoner under such conditions?

5 "8. I asked his views on the government of
6 Manchukuo, and he at once replied that he favored the
7 adoption of the Wang Tao doctrine, based upon the
8 teachings of Confucius. 'Heaven,' he said, 'did not
9 divide people into nations, but regarded them all as
10 human beings and desired peace between them, and love.
11 Competition and strife between nations only led to
12 war and intense suffering. Confucius taught that
13 governments should rule honestly, observe the golden
14 rule toward each other, and work for humanity and
15 peace. That crystallized the Oriental spirit. That
16 was the spirit in which Manchoukuo had issued its
17 declaration of independence. We are opposed to racial
18 and national animosities. That is why we call this the
19 Ta Tung (Great Equal) era. We should like to have the
20 friendliest relations with Great Britain and all the
21 other Powers. And we believe that we can contribute
22 towards the realization of world peace. Our domestic
23 policy will aim at making it possible to lead peaceful
24 and happy lives. We shall have no political parties
25 in the new State. They only make for disharmony.

1 We shall do our utmost to show ourselves trustworthy
2 in our foreign relations. I hope that the people of
3 your country (Great Britain) will understand and
4 appreciate our attitude. We shall welcome the in-
5 vestment of their capital in enterprises in Manchukuo.
6 We shall be pleased to have them come and dwell among
7 us. For many years I had a British tutor (Sir
8 Reginald Johnston), and I therefore acquired some know-
9 ledge of British history and civilization and prin-
10 ciples. Therefore I have a special interest in
11 fostering friendly relations between Great Britain and
12 Manchoukuo. Your Sovereign, King George, has already
13 been acquainted with my views.'

14 "9. Mr. P'u-yi admitted the gravity of the
15 bandit situation, but said that though recently
16 aggravated by external influences, it was not a new
17 problem and required all to give all the assistance in
18 their power to eliminate this evil. In this connec-
19 tion, he paid a very warm tribute to General MUTO, the
20 Chief of the Japanese delegation to Manchukuo.
21 Very friendly personal relations had been established
22 between them as a result of General MUTO's recent visit
23 to Changchun to extend his Government's formal recogni-
24 tion to Manchoukuo. And he felt confident that
25 General MUTO would help to smooth over past and present

difficulties."

1 That concludes my evidence, and Mr. Freeman
2 will continue.
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1 THE PRESIDENT: Mr. Freeman.

2 MR. FREEMAN: If the Tribunal please, I
3 have one witness to offer as to POW subdivision which
4 has been requested by all the counsel and will take
5 only probably three minutes.

6 I call the witness KASHIWA, Toku, whose
7 affidavit is defense document 2239.

8 THE PRESIDENT: Mr. Tavenner.

9 MR. TAVENNER: If the Tribunal please,
10 prosecution will announce now that it waives cross-
11 examination so as to save the time in calling the
12 witness.

13 MR. FREEMAN: I offer in evidence then
14 defense document 2239.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Defense document 2239
17 will receive exhibit No. 3159.

18 (Whereupon, the document above
19 referred to was marked defense exhibit
20 No. 3159 and received in evidence.)

21 MR. FREEMAN: I shall read into evidence
22 exhibit 3159, beginning with the second paragraph:

23 "I am KASHIWA Toku. I served in Jehol,
24 Manchoukuo from December 1940 to February 1942 as the
25 commander of the 9th Independent Guard Unit. The duty

1 of the unit was guarding the railroad and maintaining
2 order; the area under its jurisdiction was a part of
3 Jehol Province and a part of West Hsingan Province.

4 "At first I was under direct command of the
5 commander in chief of the Kwantung Army; but from
6 August 1941 I came under the command of the commander
7 of the Kwantung Defense Army. Its strength was three
8 Independent Guard infantry battalions and the number
9 of men was a little less than 3,000. In Jehol Province
10 there was, besides my guard unit, a military police
11 corps, but no other Japanese troops were stationed
12 there.

13 "The unit headquarters was in Chengteh; the
14 headquarters of the battalions were in Chengteh, Chih-
15 feng, and Kupehkow, and each carried out its functions
16 within its area. Each battalion was divided into
17 smaller units which were stationed at various places.
18 In Pingchuan, there was a small unit of about 40 or 50
19 men led by a company commander.

21 "The Manchoukuo Army had a military district
22 in Jehol Province and had its headquarters in Chengteh,
23 and one brigade each was stationed in Chihfeng and
24 Kupehkow.

25 "At that time order was well preserved except
for two or three thousand soldiers of the 8th Route Army

1 who came and went around the Manchu-North China border
2 with North China as their base. In June 1941 a sweep-
3 ing campaign against the 8th Route Army was staged
4 around the Sino-Manchoukuoan border. At this time my
5 unit was temporarily reinforced with two battalions
6 from the Kwantung Army, with which battalions campaign
7 of subjugation was carried out within North China and
8 around the border in cooperation with the North China
9 Garrison.

10 "As Jehol Province had opium plantations,
11 the 8th Route Army came into the villages and sometimes
12 did some harm to the natives in order to get opium for
13 their military fund. In these cases the guard unit
14 cleaned them up with the cooperation of the Manchoukuo
15 Army and the provincial officials.

16 "Peace and order were kept well in the
17 Pingchuan district and force was never used as it was
18 unnecessary. Even at the time of the cleaning up of
19 the 8th Route Army in June 1941, was kept in normal
20 condition. It is quite untrue that any massacre of
21 natives happened around Pingchuan at about August 1941,
22 and I have neither ever received any report of such an
23 occurrence nor heard anything about it. Though it was
24 specifically claimed that this massacre was performed by
25 Japanese and Manchoukuoan troops, that is quite impossible.

1 because it was my principle always to avoid having
2 Japanese and Manchoukuoan troops at the same time in
3 the same place and I always set the areas for troop
4 movements for both armies and required them to act
5 separately.

6 "On this 8th day of April, 1947."

7 That concludes, if the Tribunal please,
8 the general phases of the defense except **such**
9 matter as has been reserved to be presented later.

10 THE PRESIDENT: Mr. Tavenner.

11 MR. TAVENNER: If the Tribunal please, in
12 lieu of cross-examination on this affidavit the prose-
13 cution desires to refer to prosecution exhibit 360,
14 page 4655 of the transcript.

15 THE PRESIDENT: Yes, Mr. Tavenner.

16 MR. TAVENNER: There are two other matters
17 that I desire to call to the Tribunal's attention. The
18 first is a correction of prosecution exhibit 14, at
19 page 17,176 of the transcript. Our attention was called
20 to the fact that one article of this document did not
21 appear in the English translation although it was in the
22 Japanese. I desire now to present to the clerk page
23 three to be substituted in that document to make it
24 complete.
25

THE PRESIDENT: In the absence of any objection

1 the substitution will be made.

2 MR. TAVENNER: If the Tribunal please, we
3 find it necessary to reserve for a short time longer
4 our decision about recalling the witness YAMAMOTO
5 for further cross-examination.
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1 THE PRESIDENT: I might say here that the
2 Tribunal has extended until the 17th of October the
3 time for producing certain witnesses in which the
4 Russian prosecution are interested.

5 MR. BLAKENEY: If that order has been made
6 I should like specifically to repeat the reservation
7 heretofore made of our right to produce additional
8 evidence in the Russian phase after considering the
9 cross-examination of the prosecution witnesses.

10 THE PRESIDENT: Mr. Chief of Counsel.

11 MR. KEENAN: Mr. President and Members of the
12 International Military Tribunal for the Far East:

13 In view of the fact that the proceedings
14 have now reached the stage where the defense is about
15 to begin the presentation of the individual defenses
16 of the accused, the present application filed by the
17 accused OKA for the production of certain witnesses,
18 as well as applications filed by other accused, pre-
19 sents a problem of the utmost importance which will
20 have a grave bearing on the length of this proceeding.
21 It is respectfully submitted that the application
22 requires a ruling from the Tribunal delimiting the
23 scope henceforth to be permitted the accused in
24 offering evidence in "their individual phases."
25

In the presentation of its case, the

1 prosecution was faced with a twofold problem. On
2 the one hand, it had to establish that the conspira-
3 cies and substantive offenses alleged in the indict-
4 ment were committed, and on the other hand it had to
5 show that these particular accused committed those
6 crimes. In the presentation of its evidence, with
7 the consent of the Tribunal, the prosecution divided
8 its case into phases for the purposes of organization
9 and clarity. During the presentation of the phases
10 and separately at the conclusion of the phases, the
11 prosecution offered evidence in support of the charges
12 against the individual accused.

13 From the opening statements of counsel for
14 the defense and from the method of proof used to date,
15 it is clear that the accused rely upon a dual defense
16 which is designed to meet both facets of the prosecu-
17 tion's problem. On the one hand they contend that
18 there was no conspiracy and that no substantive of-
19 fenses were committed; and on the other hand they
20 contend that whether or not a conspiracy existed or
21 substantive offenses were committed, the accused did
22 not participate in them. To meet its dual burden, the
23 defense decided in addition to offering evidence on
24 behalf of the individual accused, to also present
25 evidence in five phases. These phases were: the

1 . general phase, the Manchurian phase, the China phase,
2 the Russian phase, and the Pacific phase. During the
3 presentation of the evidence on the five phases, the
4 defense has addressed itself to the question of the
5 existence of the conspiracies and the commission of
6 the substantive offenses. They have offered evidence
7 on behalf of all the defendants to meet every issue
8 raised by the prosecution on this question. This can
9 be clearly seen if we analyze the prosecution's phases
10 in terms of the phases presented by the defense.

11 The prosecution's first phase on the
12 "Constitution and Laws of Japan" was countered by the
13 evidence of the first section of the general phase of
14 the defense. Section five of the defense general
15 phase was introduced in answer to the prosecution
16 phase entitled "Propaganda to Prepare Public Opinion
17 for War." All the issues raised in the prosecution
18 third phase, "Manchurian Aggression," were joined
19 through the evidence introduced in the "Manchurian
20 Division" offered by the defense. The third of the
21 defense phases, "China," was offered to meet the
22 prosecution's evidence in the phase called "Aggression
23 in China." In both the Manchuria and China divisions
24 the defense attempted to rebut the prosecution's
25 evidence in its "Narcotic and Opium" and its "Economic

1 Aggression in China and Manchuria" phases. The
2 prosecution's "Conspiracy with Germany and Italy"
3 phase had its reply in the anti-comintern section
4 of the defense "Russian" phase and the "Tripartite
5 Pact" section of the Pacific phase. The entire
6 fourth defense phase -- the Russian division --
7 dealt with the evidence to rebut the prosecution's
8 "Relation with the Soviet Union." Parts 3 and 4 of
9 the general phase and all of the Pacific phase were
10 devoted to materials to answer the phases of the
11 prosecution's case entitled, "Relations with the
12 United States and Great Britain" and "Relations with
13 the Netherlands." The Pacific phase also replied to
14 every issue raised by the prosecution phases,
15 "Preparation for War, Economic, Military, and Naval,"
16 "Relations with France," and Class B and C crimes in
17 the Philippines. Both the China phase and the Pacific
18 phase introduced evidence on the subject of atrocities.
19 In meeting these various phases of the prosecution's
20 case, the defendants have had and have
21 availed themselves of the opportunity of not only
22 denying the prosecution's evidence on the existence
23 of the conspiracies and substantive offenses but
24 also of asserting the affirmative defenses of self-
25 defense and encirclement.

1 It is thus clear that already the accused
2 have been given fair and full opportunity to present
3 all the evidence they desired on the question of the
4 existence of the conspiracies and substantive offenses.
5 In doing this, since this Tribunal imposed no limit
6 as to time or number of witnesses in meeting the
7 general issues, the defense have used more than one
8 hundred court days, and have already presented more
9 than twice the number of witnesses presented by the
10 prosecution. They have had ample time to prepare
11 when we consider that they had the period during which
12 the prosecution was presenting its case and the more
13 than ten weeks of recess granted to them for preparation
14 purposes since the prosecution closed. It is, there-
15 fore, hardly to be expected that any serious thought
16 would be given to the repetition of the evidence on
17 these issues on behalf of any single accused. Yet,
18 the present petition discloses the purpose of offering
19 during the individual defenses more evidence by outside
20 witnesses on the issue of the existence of the conspi-
21 racies and substantive offenses. Such procedure, if
22 allowed, can only be repetitious of the evidence
23 already covered on behalf of all defendants and lead
24 to inordinate prolongation of the trial. It contains
25 within it the inherent possibility of the same evidence

1 being repeated on issues already covered a maximum of
2 twenty-five times which could serve no purpose other
3 than making a mockery of these proceedings, injuring
4 its dignity and value beyond recall. Obviously there
5 must be imposed some limit based on reason and fairness.

6 We respectfully submit that here more than at
7 any other stage of this proceeding we need a hard and
8 fast ruling. We realize, of course, that this cannot
9 exclude the occasional exercise of discretion where
10 merited. The defense requires a hard and fast rule
11 to avoid submission by it of a plethora of documents
12 and material which could only be rejected on presenta-
13 tion to court at the expense of an enormous and prohi-
14 bitive waste of this Tribunal's time. The language
15 of the Charter, we submit, is abundantly clear.
16 Article 12A and B provides "the Tribunal shall (a)
17 confine the trial strictly to an expeditious hearing
18 of the issues raised by the charges; and (b) take
19 strict measure to prevent any action which would cause
20 any unreasonable delay and rule out irrelevant issues
21 and statements of any kind whatsoever." The afore-
22 mentioned language employed passes on a mandate which
23 we think applies particularly to the matter now
24 presented.
25

There are no precedents exactly applicable

1 and while it is conceded that this Tribunal is not
2 bound by the Nuremberg rulings and practice, the methods
3 adopted by that Tribunal in a similar situation may
4 be of some assistance. In that case the defense was
5 not presented in phases, but each individual had his
6 own defense. However, the Tribunal having found that
7 the accused Goering was the one whose defense might
8 most reasonably be expected to cover in general the
9 defense applicable to all, required Goering to present
10 his defense first. His testimony took twelve days.
11 Thereafter the Tribunal permitted the other accused
12 varying periods from two to five days each to present
13 their defense, depending on the importance of the
14 accused. No defendant, other than Goering, could pre-
15 sent evidence on any matter but his personal partici-
16 pation in the alleged crimes. The role of Goering at
17 that trial is in a sense analagous to the part played
18 by the phases in this proceeding in denying the
19 existence of the conspiracies and substantive offenses.
20

21 In view of the fact that the issue of the
22 existence of the conspiracies and substantive offenses
23 has been fully covered in the general phases with the
24 exception of what the accused themselves may have to
25 say on this issue, it is the firm conviction of the
prosecution that during the individual phases, other

1 than what the accused themselves may have to say, if
2 they desire, about the existence of the conspiracy or
3 substantive offenses, no testimony is germane unless
4 it goes to the issue of individual participation. It
5 is therefore respectfully recommended and urged to
6 this Tribunal that with the exception heretofore men-
7 tioned, it delimit the scope of the individual phases
8 strictly to the presentation of evidence solely on
9 the question of the individual participation of the
10 accused and that the present application by the
11 accused OKA and all other similar applications be
12 denied.

13 It is further urged that whatever ruling be
14 made in response to this application it be emphasized
15 that both prosecution and defense will be held strictly
16 to compliance therewith.

17 THE PRESIDENT: We will recess now for
18 fifteen minutes, and during the recess the defense
19 will have an opportunity to consider their reply to
20 the chief of counsel for the prosecution.

21 (Whereupon, at 1045, a recess was
22 taken until 1100, after which the proceedings
23 were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. YAMAOKA.

4 MR. YAMAOKA: If the Tribunal please, with
5 regard to the matters brought up by the learned chief
6 prosecutor before recess, American counsel have had a
7 very short meeting. In view of the fact that the new
8 matter which has been raised by the learned chief
9 prosecutor is of such grave importance to the entire
10 defense, we should like leave of the Tribunal to reply
11 in full tomorrow morning at 9:30. This will permit
12 Japanese counsel to confer in full on this matter,
13 and I do not believe that they have had that opportunity
14 as yet.

15 THE PRESIDENT: Well, I understand the accused
16 ARAKI will give evidence now, is that correct?

17 MR. YAMAOKA: Yes, your Honor.

18 THE PRESIDENT: And his evidence will probably
19 take up the greater part of the day.

20 MR. YAMAOKA: Yes, your Honor.

21 THE PRESIDENT: Judging from the length of
22 his affidavit, it will.

23 MR. YAMAOKA: I understand that --

24 THE PRESIDENT: Well, the Court will hear you
25 at half past nine tomorrow morning, Mr. YAMAOKA.

1 MR. YAMAOKA: Thank you.

2 I understand that Mr. Roberts has one or two
3 documents he desires to present.

4 THE PRESIDENT: Mr. Roberts.

5 MR. ROBERTS: Document No. 1898, which was
6 on my order of proof which I expected to present yester-
7 day, was not completed in the Japanese translation.
8 However, I understand that the translation is now com-
9 plete.

10 THE PRESIDENT: This is a document of over
11 one hundred fifty pages. How much of it do you pro-
12 pose to read?

13 MR. ROBERTS: I intend to read only excerpts
14 from these documents in order simply to give a clear
15 picture of the ~~events pictured~~ in the documents them-
16 selves. I have checked the certain documents which I
17 intend to read. There will be check marks appearing on
18 the documents, and it is a small portion of the entire
19 documents which are to be offered.

20 THE PRESIDENT: Mr. Chief of Counsel.

21 MR. KEENAN: Mr. President, I have been in-
22 formed that the defense had completed ~~their~~ general
23 phase, evidence, and I ask the indulgence of the Tri-
24 bunal for a moment. Mr. Tavenner, who is more familiar
25 with this document, will state the position of the

1 prosecution if you could wait for just a moment.

2 THE PRESIDENT: Mr. Tavenner.

3 MR. TAVENNER: If the Tribunal please, ob-
4 jection is made to the introduction of this document
5 in evidence on the ground that the diplomatic negoti-
6 ations between the United States and China regarding
7 the extraterritorial rights of the United States
8 certainly could not be material to any issue before
9 this Tribunal.

10 The negotiations led up to a treaty which
11 was not enacted or concluded. Even if such treaty
12 had been concluded, it would be immaterial and ir-
13 relevant.

14 THE PRESIDENT: Mr. Roberts.

15 MR. ROBERTS: A vitally important issue be-
16 fore the Tribunal concerns the actions of some of the
17 accused in China during the year 1931, and thereafter,
18 so that we must necessarily inquire into the conditions
19 prevalent in China at that time for the purposes of
20 providing some reasonable explanation for the action
21 taken by Japan.

22 Some proof has been adduced through Japanese
23 sources (witnesses and documents) that the deplorable
24 state of affairs prevailing in China were the result
25 of conditions within that country, and not the result

1 of aggression by foreign interests. Evidence was
2 further adduced that Japanese action was taken as the
3 result of civil war, banditry, and communism in China,
4 which endangered the lives and property of Japanese
5 nationals. In view of the fact that this material was
6 subject to possible doubt, because of the source, we
7 now desire to bring before the Court certain official
8 State papers from the Foreign Relations of the United
9 States, which will show the following:

10 That the Chinese Government, in violation of
11 long standing agreements relating to the Pacific, uni-
12 laterally, before the Mukden Incident, abolished all
13 extraterritorial rights of Japan in China and announced
14 its intention to retake the Kwantung leased territory,
15 the Manchurian Railroad and railway zone and to con-
16 tinue its anti-Japanism and discrimination against
17 Japanese nationals;

18 That in 1930 and previously the Chinese Govern-
19 ment had adopted a stiff and intransigent position that
20 all extraterritorial rights of the United States, Great
21 Britain, France, Norway, and Japan would be extinguished,
22 and acting upon that premise the Chinese Government re-
23 modeled its domestic law to ignore all such extraterri-
24 torial rights;

25 That Japan, in common with the position of the

1 United States and Great Britain, was in favor of the
2 gradual abolition of extraterritorial rights but felt
3 that as such rights could not be given up at one stroke
4 and that all such rights should be withdrawn in exact
5 proportion to the ability of the Chinese to organize
6 a stable government and maintain law and order suf-
7 ficient to protect the lives and property rights of
8 the nationals in China.

1 The Chinese, in violation of many agreements
2 relating to the Pacific area, issued its Mandate in
3 1931, before the Mukden Incident, to take effect on
4 January 1, 1932, and by the terms of that Mandate all
5 extraterritorial rights of Japan, the United States,
6 Great Britain, France and Norway were to be disregarded
7 as of January 1, 1932 and thereafter nationals of all
8 such countries were to be subjected without limit to
9 Chinese law and procedures; this Mandate was never
10 rescinded but its execution was temporarily postponed
11 about January 1, 1932 because of sheer disorganization
12 and instability in the national Government of China and
13 the situation in Manchuria

14 THE PRESIDENT: Mr. Roberts, I hope you are not
15 taking advantage of this to make a number of statements
16 in the nature of evidence, really. It is remarkable
17 that, if this document has the importance you suggest,

18 it should be put in at that stage after the case was
19 closed, after the general phase was closed. I do not
20 recollect any opening of any of the phases in which
21 this document was foreshadowed, but my memory may not
22 serve me well.

23 MR. ROBERTS: It was intended to include this
24 in the reservation because the Japanese translation
25 was not completed on this document until this morning.

1 In the general opening statement by Doctor
2 KIYOSE this was foreshadowed as conditions in China
3 as far as the action taken by Japan.

4 THE PRESIDENT: We were never in any doubt about
5 that, but it is whether the scope includes a document
6 of this nature. I am considering it.

7 MR. ROBERTS: It certainly is of extreme
8 importance, and, as I said, being State papers of the
9 United States Government it is something that will, of
10 course, have the confidence of the Court because other
11 matter, as I said, which was from Japanese sources may
12 not have had such confidence.

13 In view of the objection I have one or two
14 other points I would like to make concerning what these
15 documents will show.

16 These state papers also reflect the disunity
17 and instability within the Chinese Government, un-
18 conciliatory attitude with respect to all interest of
19 foreigners within China and the extraordinary difficulty
20 in dealing diplomatically with the Nationalist Government
21 of China.

22 These papers also show beyond doubt that the
23 willingness of the United States and Great Britain to
24 surrender practically everything in the way of extra-
25 territorial rights put Japan in a delicate position in

1 her dealings with China because of the larger population
2 of Japanese residents and greater property interests
3 in China and Manchuria.

4 Here the Tribunal will see that the unilateral
5 action taken by the Chinese reduced the Nine-Power Pact
6 in its practical effect to a dead letter. Japan ignored
7 this unilateral action on the part of the Chinese but
8 was nevertheless willing at all times to enter into
9 negotiations with the Chinese for gradual abolition of
10 extraterritorial rights as heretofore stated. This
11 document has an important bearing on the question of who
12 was the aggressor in China and Manchuria, and it is
13 significant to note that four other nations were like-
14 wise ready to fight China in 1931 for the preservation
15 of the rights and interest of their nationals.

16 As I have said, because of the bulk, we have
17 checked certain portions for reading and these, we believe,
18 will give a good bird's eye view of the diplomatic
19 situation viz-a-viz all foreign interests as of 1931.

20 THE PRESIDENT: This document isn't a late
21 find, is it? You have had this material from the start.

22 MR. ROBERTS: However, we have had the difficulty,
23 as I said, in translation and you will find that on my
24 order of proof, I believe, dated September 2 possibly.

25 As a matter of fact, we sought the help of the

1 prosecution in translating this and gave them part of
2 the materials to translate for us.

3 THE PRESIDENT: Now, in what opening statement
4 was it argued that Japan overran Manchuria to preserve
5 the right of extraterritoriality?

6 MR. ROBERTS: In the opening statement made
7 by Doctor KIYOSE. That was the material that was re-
8 ferred to.

9 THE PRESIDENT: We would like the prosecution
10 to tell us whether they agree with Mr. Roberts that the
11 matters that he claims to be in it are really in the
12 document.

13 MR. TAVENNER: If the Tribunal please, I have
14 not been able to read this entire document. In view of
15 the circumstances under which the orders of proof were
16 presented, I did not expect this document to be presented.
17 I am advised that it does not contain the statements
18 made by counsel in some instances, but I am not in a
19 position to make a definite statement of my own on that
20 subject.

21 THE PRESIDENT: By a majority the objection
22 is sustained and the document rejected.

23 Mr. McManus.

24 MR. McMANUS: Your Honor, I should like to
25 read the opening statement in defense of the accused

1 ARAKI, Sadao.

2 THE PRESIDENT: A question is raised as to
3 your right to open the evidence for the accused. There
4 would be no question about it in a national court.

5 We would like you to refer us to the Charter,
6 Mr. McManus.

7 MR. McMANUS: It is, if your Honor pleases,
8 Article 15(c), which states "The prosecution and each
9 accused (by counsel only, if represented) may make a
10 concise opening statement."

11 THE PRESIDENT: I suppose you don't intend to
12 repeat matters that have already been opened in the
13 other phases. You seem to be well within your rights.

14 MR. McMANUS: I assure the Tribunal I have no
15 such intention.

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1 If it please the Tribunal, we would like to
2 present counter-evidence in refutation of the charges
3 and assertions of the prosecution against the accused
4 ARAKI.

5 1. The charges of the prosecution against ARAKI
6 are as follows:

7 Together with all the other accused: counts
8 1 to 17; 27 to 32; 34 and 44;

9 Together with some other accused: counts 18,
10 19, 23, 25, 26, 33, 35, 45, 46, 47; and 51 to 55.

11 The prosecution, however, points out only the
12 following public career of ARAKI:

13 Minister of War (December 13, 1931 - January 23, 1934)

14 Cabinet Councillor (October 15, 1937 - May 26, 1938)

15 Minister of Education (May 26, 1937 - August 30, 1939)

16 Chairman of National Spiritual Mobilization,
17 (March 28, 1939 - August 30, 1939)

18 Cabinet Councillor (December 1, 1939 - August 3,
19 1940.)

20 Such being the case, except for ARAKI's occu-
21 pation of the above-mentioned positions, the charges
22 against ARAKI for the remaining period must be clearly
23 expressed; on the other hand, in this connection the
24 prosecution only vaguely enumerates counts, against
25

1 which, we therefore submit, no counter-evidence is nec-
2 essary, but only a chart that will show at a glance
3 ARAKI's non-involvement with such counts should suffice.

4 2. Evidence of his non-participation in conspiracy.

5 The prosecution asserted that ARAKI participat-
6 ed in conspiracy, propagated aggression and instigated
7 young officers. We will show that ARAKI is not a chauv-
8 inist, nor a fascist, let alone an aggressionist, but a
9 believer in KO DO (the Imperial Way), a genuine Nippon-
10 ism. And the KO DO that he believed in is a moderate,
11 unbiased course of service and, according to its
12 Doctrine, a public road through heaven and earth, and
13 an everlasting path for humanity which is infallible
14 for all ages and true in all places. He will further
15 prove his ideas are not so subversive, self-conceited
16 and conservative as to threaten world peace; that he
17 is a pacifist and a humanitarian; that in all his
18 speeches, articles and actions he has been advocating
19 this KO DO for world peace, and that these speeches,
20 articles and actions have been definitely opposed to
21 the instigation of propaganda and instruction for any
22 aggressive war. As to HAKKO ICHIU, we can clearly
23 prove in what sense he used the phrase.
24
25

We will prove that he taught the Army to act
as the Imperial forces; which meant they should carry

1 out the Imperial virtue of benevolence, and that his
2 motto in training the Army was: "Never be resented by
3 the enemy in victory; be loved by the natives during
4 your garrison."

5 From his experiences in World War I, he warned
6 the world that warfare was deteriorating to a brutal
7 combat; that even in an inevitable defensive war he
8 condemned the use of poison gas or bacteria as a crime,
9 and contended that the destructive power of weapons
10 should be limited and that war damage upon women, child-
11 ren and other non-combatants should be avoided at all
12 costs. We will further prove that he did not believe,
13 from his view of KO DO, that impending political issues
14 between Japan and such countries as China, the Soviet
15 Union, Britain and the United States should be settled
16 by war; that his past has been a series of struggles
17 against radicalism; that Japan could not escape from
18 the world-wide confusion around 1930; that Japan was
19 suffering from unusual and devastating circumstances
20 which occurred one after another, internally as well as
21 externally; that he devoted himself to solving these
22 incidents and succeeded in settling them all one by
23 one. Fate, however, seems to have forbidden him any
24 further efforts, for on January 1, 1934, after his
25 settlement of the Manchurian Incident, he became serious-

1 ly ill, partly from his overwork, and he resigned from
2 War Ministership. Because of his worry over the miser-
3 able destiny Japan was precipitately following, he was
4 obliged to leave the political arena.

5 That, from his viewpoint of KO DO he opposed
6 expansion of operations in the China Incident, as well
7 as the Tripartite Pact, for fear lest it should lead to
8 a world war.

9 All the above will be proved by documentary as
10 well as oral evidence.

11 3. We will prove that it was because of ARAKI's
12 efforts that the Manchurian Incident and the First
13 Shanghai Incident were settled with the least possible
14 damage, thus preventing them from developing into a
15 wholesale disturbance of East Asia.

16 We will show that the Manchurian Incident had
17 some factors which could have lead to a great inter-
18 national eruption; that the Incident had broken out
19 three months before so that it could not be returned to
20 status quo ante when ARAKI was appointed Minister of War
21 and that in Manchuria the movement for independence had
22 been brewing because of its historical background and
23 had swayed the entire Manchurian population. This, how-
24 ever, has already been proven to some extent in the
25 general phase. We will, however, show that the measures

1 taken by him since he became War Minister were neither
2 aggressive nor indicative of occupation, but aimed at
3 the protection of Japan's rights and interests and
4 her residents, in accordance with international law
5 and were the realization of a cabinet decision to
6 terminate hostilities at the earliest possible date;
7 that there were two measures to be taken to cease fire,
8 that one was to pacify disturbances by bandits, and to
9 repulse other challenging activities and to conclude a
10 truce, and the other was to calm Japan's internal ex-
11 citement and to make the nation reflect upon herself,
12 and that ARAKI succeeded in realizing these two steps
13 perfectly. Further, that ARAKI was always prudent in
14 dealing with establishment and recognition of Manchukuo;
15 that he fulfilled his duty, respecting the opinions of
16 the Foreign Office authorities and, acting in accord-
17 ance with the Government's principle, that he not only
18 made efforts to cease hostilities, and to prevent them
19 from expanding into general disturbances, but that he
20 tried to propose, despite strong opposition, and even
21 at the risk of his life, a Far Eastern peace conference
22 with a view to establishing a foundation for peace in
23 the East; that at his resignation on account of ill-
24 ness from overwork, he entrusted the Cabinet with his
25 plan to secure peace. We will establish this fact.

1 We will further show that as to international
2 relations, he always followed a principle of mutual
3 cooperation; that he opposed a premature recognition
4 of Manchukuo; that after the Shanghai Incident he
5 effected evacuation of all the military personnel
6 despite powerful opposition; that he was the last man
7 to agree to withdraw from the League of Nations. When
8 he learned this to be inevitable, he tried to establish
9 a plan for world peace in cooperation with Great Brit-
10 ain and the United States; that in dealing with military
11 affairs according to the Government's policies, he
12 respected international treaties and never trespassed
13 beyond their limits. We shall also establish this fact
14 to the satisfaction of this Tribunal.

15 Further, that he respected the independence
16 of Manchukuo and wished for her, as in her declaration,
17 to be an ideal state as an oasis of stability in East
18 Asia, and that he had no such wild fancy as to consider
19 Manchukuo as a puppet state.

20 4. We will establish the fact that ARAKI had no
21 connection with the Army since 1936.

22 We will also prove that while ARAKI was Minist-
23 er of War, the May 15th Incident broke out, in which not
24 even one young army officer participated; that the
25 February 26th Incident, however, was an illegal action

1 undertaken by young officers to the discredit of
2 the Imperial Army, reverence for which ARAKI had al-
3 ways advocated; that ARAKI was much concerned about it,
4 and that though quiet reigned for a time, after
5 ARAKI's resignation of the post, they disliked ARAKI's
6 sound and moderate ideas, and at the time of the In-
7 cident they refused to see him when Minister of War
8 KAWASHIMA asked them to do so.

9 We will show that ARAKI and five other gener-
10 als were obliged to leave actual service, assuming moral
11 responsibility for the confusion caused by the incident,
12 as it was the proper and expected thing to do because
13 it should have been incumbent upon any superior offic-
14 er of the Army to have known and prevented it in its
15 inception, even though they were unaware of such activ-
16 ities; that as soon as they retired from active service,
17 a system was enforced that a Minister of War should be
18 appointed from the active list, which was aimed partic-
19 ularly at these six generals, to deprive them from
20 becoming a War Minister at any time in the future.

21 Witness TANAKA, Ryukichi introduced to the
22 court the so-called KO DO group. We will prove that
23 there existed no such party, that such a nomination
24 was not made, nor asserted by ARAKI or his friends,
25 but that someone or another began to call those who

were in sympathy with KO DO'sm, such as ARAKI, the
1 KO DO group. We will further show that those who
2 rejected such KO DO spiritualism as being too un-
3 wieldy, and considered above everything else control
4 or an all-mobilization campaign system like that of
5 Germany in World War I, were called the Control group.
6 We will establish the fact that almost all of the
7 so-called KO DO group were expelled from the Army on
8 the pretext of liquidation after the February 26th
9 Incident, though they had no connection with it.
10

11 We will show that the prosecution has mistaken
12 General ARAKI as a leader of the military clique. We
13 will prove that the world-wide fame of General ARAKI
14 was won fifteen years ago by his meritorious service
15 when he had settled perfectly the Manchurian Incident
16 preventing it from affecting all East Asia, and we will
17 explain by evidence the reason why he himself, who had
18 been so famous, was soon expelled from the Army and
19 never even once organized a cabinet.
20

21 5. We will establish the fact that though Prince
22 KONOYE asked ARAKI to settle the China Incident, ARAKI
23 could not do so in his capacity of Minister of Civil
24 Affairs.

25 We will show that Prince KONOYE recognized the
sincere and earnest desire for peace in General ARAKI,

1 and others, who were called the KO DO group, when the
2 Prince made every effort to have them try to help settle
3 the China Incident, as they had done with the Manchur-
4 ian In. dent.
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1 We will prove that cabinet councillorship was
2 a system created by Prince KONOYE with the object of
3 settling the Incident with the help of such prudent men
4 as General ARAKI, even in his retirement, and others,
5 and that he made ARAKI, together with Messrs. UGAKI
6 and IKEDA enter his cabinet after the above-mentioned
7 renovation, as they would be useless to him outside
8 the cabinet.

9 However, we will further show that after his
10 renovation of the cabinet Prince KONOYE hurriedly or-
11 ganized a system of The Five Minister Conference
12 (Premier, War, Navy, Foreign, and Finance Ministers)
13 which practically nullified his previous plan as Minis-
14 ter of Education. Therefore ARAKI had no opportunity
15 whatsoever in this capacity to make any contributions
16 to settling the Incident, even though he was a cabinet
17 member.

18 We will show also that there was no truth to
19 the fact that Education Minister ARAKI strengthened
20 military training at schools, as he was opposed to ex-
21 pansion of the Incident; that he opposed banishment of
22 some Jewish professors, and that he made an address to
23 American NISEIs (when requested for his advice) to the
24 effect that if there should be any war between Japan
25 and America it was their duty as good citizens to be
loyal and faithful to the U. S., and that if it afflic-

1 ted them morally they should do their best to prevent
2 any such war. We will establish the fact that he
3 opposed elimination of English from school curriculums,
4 as it meant isolated self-complacency; that he contended
5 that Japan's cultural agreement should be reached not
6 only with Germany but with the whole world; further,
7 that for the first time it was Baron ARAKI who pro-
8 vided for Christianity in the religions association law,
9 and that in this way his deeds were always in opposi-
10 tion to an aggressive war.

11 We will show by evidence that the Nomonhan and
12 the Chang Ku Feng Incidents were border issues that
13 broke out at that time, and that as he was Minister of
14 Education he had no connection with them; that ARAKI
15 had deep sympathy with and understanding
16 of the Russian people, but that he was anxious to
17 prevent Bolshevisation by the Third Internationale,
18 and that notwithstanding he did not make any prepara-
19 tions to promote aggressive action against the Soviet
20 Union.
21

22 We will clearly show that the chairmanship
23 of the National Spiritual Mobilization Committee was
24 only a natural concurrent position of a Minister of
25 Education; that it was a type of spiritual elevation
movement, and that the prosecution has mistaken it for

1 the chairmanship of a deliberation council under the
2 National Mobilization law, which was fundamentally
3 different from the former.

4 6. We will prove that after his retirement
5 from public life ARAKI had no connection with the
6 current problems.

7 We will show that realizing a Minister of
8 civil affairs was quite futile in solving the incident,
9 he retired from any administrative office with his
10 resignation from the HIRANUMA Cabinet.

11 We will establish the fact that his councillor-
12 ship in the ABE and the YONAI Cabinets was accepted in
13 consideration of his friendship with both Premiers,
14 in view of their earnest requests; that a cabinet
15 councillor system had become purely nominal by that
16 time, and that the Prosecution has confounded the
17 Cabinet councillor system (established on October 15,
18 1937) with the cabinet advisory council system (organ-
19 ized in March, 1943); that these offices were created
20 for different objectives, and that the cabinet coun-
21 cillor, no one having been accused on account of his
22 holding this post, was an honorary post, having merely
23 the function privately to state his opinions to the
24 Premier without any official responsibility.
25

We will prove that at the formation of the

1 YONAI Cabinet Premier YONAI asked ARAKI to be Home
2 Minister to cooperate with him in settling the inci-
3 dent, but that he refused the offer on the ground
4 that he was not sufficiently confident in view of the
5 general trend of the time, and that thus he was not in
6 touch with political activities.

7 We will show by conclusive evidence that at
8 the formation of the Second KONOYE Cabinet, Premier
9 KONOYE sent the Chief Cabinet Secretary to ARAKI,
10 asking him to be a Cabinet Councillor, that when ARAKI
11 refused it the Premier himself visited him at his resi-
12 dence, that though they hotly discussed the matter for
13 about five hours, ARAKI did not accept even that post,
14 as he was strongly opposed to the Imperial Rule Assis-
15 tance Association and the Tripartite Pact, and that from
16 this time their public intercourse was suspended for all
17 time thereafter.

18 We will present evidence in covering conspiracy,
19 the Manchurian Incident, the China Incident, and ARAKI's
20 activities after his retirement, dealing with the
21 above-mentioned six items in complete and conclusive
22 refutation and denial of all the charges in the Indict-
23 ment.
24

25 At this time, if the Tribunal pleases, I
would like to proffer a chart showing a break-down

1 of the Indictment as it concerns the accused ARAKI.
2 It shows clearly every important incident since 1928
3 and the position held by Baron ARAKI at such times.
4 It further shows the cabinets under which these inci-
5 dents occurred and other pertinent dates concerning
6 the accused ARAKI's association or non-association
7 with them. I am merely offering this chart for the
8 benefit of the Tribunal and the prosecution, so that
9 it may be seen at a glance ARAKI's status at the time
10 of each incident above mentioned and at the time of
11 each count in the Indictment. I am not tendering it
12 into evidence, but as stated before, merely submitting
13 it for the benefit of the Tribunal if this court should
14 at any time care to refer to same. I should like to
15 have it marked for identification, if the Court please.

16 CLERK OF THE COURT: Defense document No. 2242
17 will receive exhibit No. 3160 for identification only.

18 (Whereupon, the document above referred
19 to was marked defense exhibit 3160 for identifica-
20 tion.)

21 MR. McMANUS: At this time I should like to
22 call the accused ARAKI.
23

24 - - -
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1 S A D A O A R A K I, an accused, called as a witness
2 in his own behalf, being first duly sworn, testi-
3 fied through Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 BY MR. McMANUS:

6 Q Will you state your full name, please?

7 A ARAKI, Sadao.

8 MR. McMANUS: May the witness be shown defense
9 document 2488?

10 (Whereupon, a document was handed to the
11 witness.)

12 Q General, is that your affidavit?

13 A Yes.

14 Q Does your signature appear at the end of the
15 affidavit?

16 A Yes.

17 Q Are the facts therein contained true and
18 correct?

19 A Yes.

20 MR McMANUS: At this time I tender document
21 2488 and request that it be received into evidence.

22 THE PRESIDENT: Mr. Comyns Carr.

23 MR. COMYNS CARR: May it please the Tribunal,
24 the prosecution does not feel that it can object to
25 this document, but it calls attention to the fact that

1 it occupies 46 pages in which statements of fact are
2 inextricably woven with argument and with references
3 to what it is alleged that other witnesses or docu-
4 ments are going to prove. We respectfully suggest
5 to the Tribunal that this should not be taken as a
6 precedent for the affidavits of other witnesses.

7 THE PRESIDENT: Witnesses not being accused.
8 What we allow one accused we must allow all, but we
9 will not allow any witness to indulge in an argument.

10 MR. COMYNS CARR: Your Honor, with respect, I
11 intended my observation to apply to other accused.
12 The difficulty of taking formal objection to this is
13 the difficulty of extricating that which is proper in
14 an affidavit from that which is not; but I was going
15 to suggest to my learned friend that he should consider
16 in the reading omitting a number of passages which are
17 obviously open to the criticism I have leveled at it.

18 THE PRESIDENT: Mr. McManus.

19 MR. McMANUS: May I proceed, your Honor?

20 THE PRESIDENT: Well, it is nearly twelve.

21 We will adjourn now until half-past one.

22 (Whereupon, at 1155, an adjournment was
23 taken until 1330.)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

- - -

S A D A O A R A K I, an accused, called as a witness on his own behalf, resumed the stand and testified through Japanese interpreters as follows:

CLEK OF THE COURT: Defense document No. 2488 will receive exhibit No. 3161.

(Whereupon, the document above referred to was marked defense exhibit No. 3161 and received in evidence.)

THE PRESIDENT: Mr. McManus.

MR. McMANUS: At this time I should like to read exhibit No. 3161, if the Tribunal please.

"I, ARAKI, Sadao, make oath and say as follows:

"1. Circumstances up to my acceptance of the post of War Minister:

"I served as the Chief of No. 1 Division of the General Staff from January 1928 to August 1928;

President of the Staff College until August 1929;
the Commander of the 6th Division in Kumamoto until
August 1931, and Chief of the General Affairs Bureau
of the Department of Military Education.

"While I was in the service of those posts,
I recognized from my experiences in World War 1 and
from my views on the morality of war, as well as from
the basic principle in founding our army, the neces-
sity of disassociating our army from the old Prussian
style army, and so I devoted my whole hearted atten-
tion to the education and training of troops with
the final object of promoting their moral standard.

"The general situation in those days was by
no means eventless. On the contrary, there was every
sign of potential unrest. However, my view on the
current problems was always different from the opin-
ions of the leaders of Japan, including those of
militarists, and I always remained unbiased to any
of the movements which were opposed to each other.

"It was on August 15, 1931 that I arrived
in Tokyo to accept the post of the Director of the
General Affairs Bureau of the Department of Military
Education. This was an advisory position to the
Inspector-General of the Department of Military Edu-
cation.

1 "The outbreak of the Manchurian Incident was
2 known to me from the newspaper. I was told that the
3 government had set up a non-expansion policy, and
4 so I did not think much of this incident.

5 "On the occasion of the October Incident,
6 I happened to have been asked by War Minister MINAMI
7 and Chief of General Staff KANAYA to subdue the
8 trouble. I successfully discharged this task, but
9 was informed nothing further as to the punishment
10 of the people involved in this incident.

11 "At that time, I was merely the Chairman
12 of the committee of the entrance examination of the
13 Military Preparatory School and the Military Academy,
14 a position which was to be occupied by the Chief of
15 the General Affairs Bureau of the Department of
16 Military Education as was regulated in that Depart-
17 ment, and which had nothing to do with the current
18 problems.

19 "2. Circumstances around my acceptance of
20 the post of War Minister.

21 "At the end of 1931, I was the senior member
22 of the Vice-Minister class, and because of this, I
23 was asked on December 13th by Mr. Tsuyoshi INUKAI
24 to become War Minister. As was customary with the
25 army at that time, I reported this matter to and

1 requested direction of the Three Chiefs of Army
2 (War Minister, Chief of the General Staff, and In-
3 spector-General of the Department of Military Educa-
4 tion). The opinion of the Three Chiefs was unani-
5 mous and they instructed me to accept the post.
6 Thus I sent in my acceptance to Mr. INUKAI and became
7 War Minister when the INUKAI Cabinet was formally
8 organized on the same day. Mr. INUKAI at this Tri-
9 bunal testified that my acceptance was made under
10 some extraordinary circumstances, but not only was
11 there any uncustomary procedure in connection with
12 my acceptance, but neither my predecessor nor any
13 person of importance at that time informed me of such
14 circumstances.

15 "On the following day of my acceptance of
16 this new post and the subsequent day, War Minister
17 MINAMI, my predecessor, Vice-Minister SUGIYAMA and
18 Chief of the General Staff KANAYA gave me the ex-
19 planation of the state of affairs of Japan at that
20 time, the outline of which was as follows:

21 "(a) That since the outbreak of the Man-
22 churian Incident, both the government and the army
23 authorities strived to settle the trouble under a
24 non-expansion policy, but that the condition in Man-
25 churia which had been aggravated for many years in

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 3 spector-General of the Department of Military Educa-
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 18 Chief of the General Staff KANAYA gave me the ex-
 19 planation of the state of affairs of Japan at that
 20 time, the outline of which was as follows:

21 "(a) That since the outbreak of the Man-
 22 churian Incident, both the government and the army
 23 authorities strived to settle the trouble under a
 24 non-expansion policy, but that the condition in Man-
 25 churia which had been aggravated for many years in

1 the past, was so complicated that both the Japanese
2 civilian inhabitants in Manchuria and the Kwantung
3 Army were still in danger; that the government of
4 the existing Manchurian regime had lost its grip,
5 some of its influential personnel had absconded while
6 the rest of them had established their own strong-
7 holds in various parts of Manchuria, and an absolute
8 state of anarchy was revealed throughout Manchuria.

9 "(b) That the army authorities, in view of
10 their primary duty, was dually engaged to cope with
11 this situation -- protection of the Japanese nation-
12 als and their rights and interests in Manchuria was
13 one, and self-defense to insure the security of the
14 Kwantung Army was the other; that the condition, as
15 had been made clear by the second declaration of the
16 WAKATSUKI Cabinet, was so aggravated that it was im-
17 practicable to return the Japanese troops to their
18 original stations.

19 "(c) That Chang Hsueh-liang, who had es-
20 tablished in Chinchow District a stronghold for
21 violation of peace and order in Manchuria, did not
22 keep his promise of evacuating all the troops under
23 his command from the Chinchow District, and that
24 there was not the slightest indication of sincerity
25 to show that some day he might fulfill this promise.

"(d) That the fact that the Japanese force, from a desire for peaceful settlement, had returned its troops from half way point of its campaign to Chinchow was utilized by Chang Hsueh-liang for his propaganda. He was busy propagandizing that he and his troops won the victory in this campaign and, by thus instigating the fighting spirit of the troops, caused them to cross the Liao River to appear and overrun the districts as far as near Mukden; that this very much endangered Japanese nationals and the troops at the foremost front.

"(a) That while the League of Nations had not appreciated the actual situation in full, the recent councillors meeting decided to despatch a commission of enquiry and that it approved our rightful assertion of reserving our rights of pacifying bandits and other groups of turbulent elements.

"The above were the outlines of the actual state of affairs explained to me by those three important people of the army, and their conclusion was that if the situation was left alone, and if it should cause any damage to the Japanese nationals or should the Kwantung Army suffer any serious damage from it, the hostility would expand all over China and would result in serious international relations.

"3. Determination of government policy.

"When I reported these matters to Premier INUKAI, he, in his capacity as the president of a political party, and being aware of the graveness of Japan's internal and external situations more fully than I, told me his opinion as follows:

"(a) Self-defense and non-expansion should be the fundamental policy to cope with the situation, and based on this policy, the restoration of law and order and termination of hostilities in Manchuria should be immediately realized.

"(b) It should be borne in mind that Chang Hsueh-liang, the violator of law and order, was the man to deal with, and as such, the theatre of action must be extremely restricted, and on no occasion should it exceed the territory under his domination.

"(c) Military action may be required to save the imminent danger to the Chinchow District, but even in doing so, a request should be first made for the withdrawal of the troops under Chang's command from that district so that the root of future evil will be eliminated.

"(d) To the League of Nations and other countries which were related to Manchuria by treaties, a thorough explanation should be made in order

1 to gain their complete understanding as to the real
2 state of affairs of Manchuria.

3 "These opinions of the Premier were discus-
4 sed at the Cabinet meeting and were made the basic
5 policy of the INUKAI Cabinet. In accordance with
6 this decision, I made the necessary contact with the
7 ministers of Finance and Navy to make preparation
8 for the War Office to discharge its sphere of duty.
9 This decision was also conveyed by me to the General
10 Staff so as to request them to act accordingly.

11 "In connection with this decision of the
12 Cabinet, there is an allegation in exhibit No. 187
13 and No. 188 to the effect that I made a plan for the
14 occupation of the Four Eastern Provinces. This is a
15 mistake caused by the interpretation of an incompetent
16 interpreter and it was entirely different from the
17 fact. I shall refer to this matter at the latter
18 part of this statement under 28.

19 "I have never heard, not even as a rumor,
20 that the Premier INUKAI had the intention of petition-
21 ing for an Imperial Command to withdraw the Kwantung
22 Army, as was testified to by Mr. Takashi INUKAI be-
23 fore the Tribunal. Premier INUKAI, as clever as he
24 was, should have known quite well that the Emperor,
25 who was an ardent observer of the Constitution, would

not have granted an Imperial Command for the withdrawal of troops without first having the advice of the General Staff. I shall refute this allegation by a witness who will testify to the matters concerning the Supreme Command.

"There is also an allegation by the prosecution in Chapter 1 of Appendix A of the Indictment that after the INUKAI Cabinet was formed -- 'The Japanese government which came into power on the 13th of December of 1931, and all subsequent Japanese governments adopted and continued this aggression and its gradual extention over other parts of China.' That both the INUKAI and SAITO Cabinets, while I was a member of them, had never made any such policy shall be fully shown by the several speeches made by the responsible members of the two Cabinets at public occasions, and several witnesses and documentary evidence which are to be submitted before the Tribunal will corroborate this.

"4. Pacification of Liao-si (West of the Liao River) District.

"The Japanese Government, in conformity with the abovementioned policy, expected a peaceful settlement of the troubles in the Chinchow District through diplomatic negotiations, but almost a month had vain-

ly passed since the commencement of the negotiation
and there was not a sign of their withdrawing from
the district. On the contrary, the activities of
the bandits along the River Liao coast were more
intensified and at the end of December 1931, the
aggravated situation reached such a stage that the
Japanese Government had to resort to arms to wipe out
the stronghold of the bandits and the lawless mobs
in order to save the Japanese nationals from danger.
I communicated this decision of the government to
the General Staff. In the meantime, the government
made a proclamation on the 27th to clarify the situa-
tion and explained to the world the difficulties
that Japan was confronted with.

1 "On the 28th of the same month the General
2 Staff despatched to Manchuria from Korea a divisional
3 headquarters and a brigade, the main body of which
4 began action at the very end of the month.

5 "The Kwantung Army by this time, in view of
6 the daily occurrence of various casualties, had taken
7 several measures to cope with the situation and had
8 several times requested without response the with-
9 drawal of Chang Hsueh-liang and his men from the
10 Liao-si District.

11 "However, the bandit troops upon learning
12 that Japan had decided to take a decisive measure
13 fled from the Chinchow District, together with the
14 groups under Chang Hsueh-liang's command. Thus, a
15 unit of Japanese troops under command of Lieutenant
16 General MURO made its entry into the city of Chinchow
17 on January 3rd, 1932, without resorting to bloodshed
18 and the Japanese nationals were relieved.

19 "After this campaign the army undertook the
20 task of maintaining law and order in that locality,
21 leaving the rest of the activities to the diplomatic
22 authorities. However, during the month of January
23 the troops of the garrison forces suffered several
24 casualties inflicted by bandits in various parts of
25 the locality, including the annihilation of KOGA Regi-

1 ment at Chin-si, but the troops on the spot, observing
2 the principle of non-expansion policy, endured it and
3 did not take any counter steps.

4 "5. The First Shanghai Incident.

5 "The cause of expedition and the policy of
6 the Army.

7 "The First Shanghai Incident was initiated
8 when, in the middle of July 1932 a body of Chinese
9 civilians assaulted a party of Japanese priests and
10 either killed or wounded them. This incident induced
11 a clash between the Japanese Navy and the Chinese 19
12 Route Army, and a great number of Japanese nationals
13 in Shanghai as well as the navy itself were very much
14 endangered.

15 "The Navy authorities, in view of discharg-
16 ing their international duty in Shanghai as well as to
17 save their own navy troops and protect Japanese Nation-
18 als in that city, reported the case to the government
19 and requested a detachment of army troops to Shanghai.
20 The government knew the imminence of the situation and
21 decided upon a policy of relieving the navy and pro-
22 tecting the Japanese nationals on the spot, and re-
23 quested the army for a detachment of troops.

24 "I consulted on this matter the Chief of the
25 General Staff and we agreed to conform with the govern-

1 ment policy by despatching a minimum force. The Chief
2 of the General Staff reported the matter to the Throne
3 and upon the approval of His Majesty, the expedition
4 was finally decided upon.

5 "By this time the situation in Shanghai had
6 become so critical that a mixed brigade was first
7 despatched, in accordance with the request of the
8 navy, by a destroyer, and this brigade was on peace
9 time footing on account of the shortage of time.
10 Then the UEDA Division, also in a state of being im-
11 mobilized, followed the brigade. The strength of the
12 opponent at that time was said to be about 50,000.

13 "In conformity with the policy of the govern-
14 ment, I strived to settle this incident, as much as
15 possible, in an amicable manner, and desired the Chief
16 of General Affairs and Divisional Commander UEDA to
17 follow this policy. This resulted in Divisional Com-
18 mander UEDA's advice to the opponent of the peaceful
19 settlement, which will be shown in evidence in defense
20 document to be followed later. This attempt at peace-
21 ful settlement by Divisional Commander UEDA was not
22 duly responded to, and on the contrary, it drove him
23 into a considerable plight.

24 "This request for peace and subsequent hesi-
25 tation on the part of Divisional Commander UEDA, in

1 immediately resorting to action, was interpreted and
2 propagandized by the Chinese side as their complete
3 victory over Japanese forces, and the propaganda in-
4 duced a situation whereby the Chinese force under the
5 direct control of the Nanking Government joined the
6 Canton 19th Route Army with whom the expeditionary
7 force was confronted. Moreover, this new situation
8 affected the situation in Manchuria and caused further
9 aggravation of law and order there. Even the proposal
10 made by the League of Nations to Japan served to en-
11 hance the spirit of the Chinese people. The situation
12 became extremely serious and the safety of more than
13 20,000 Japanese nationals was menaced. Thus, China's
14 side took advantage of our aspiration for an amicable
15 settlement and created a new situation more dangerous
16 to Japan.

18 "Worried with this added difficulty the govern-
19 ment requested the Army to immediately save this sit-
20 uation. It was either on the 7th or 8th of February
21 that the advance party of the Army expeditionary force
22 landed on the spot. Divisional Commander UEDA arrived
23 there in the middle of February and this new crisis
24 was created at the end of the same month.

25 "On account of this renewed request from the
government, my position required me to devise measures

to immediately save the situation by means of close co-operation between operational tactics and diplomacy, that is to say, the measures complying with the operational request of the General Staff on one hand and conforming with the political principle of the government on the other.

"On this matter I consulted the General Staff and agreed to their appointing Colonel Binshiro OBATA (Lieut. General OBATA, who became Minister of State in the Prince KUNI Cabinet immediately after the surrender) the Chief of operations Section of the General Staff. We also agreed to recommend General SHIRAKAWA as the Supreme Commander of the Expeditionary Force as the most appropriate person with sufficient faculty who would maintain close co-operation with the local diplomatic agent to take timely measures in terminating the hostilities. Then in accordance with the suggestion of the General Staff, further re-inforcement of two divisions was decided upon at the Cabinet meeting.

"Various preparations were made for this re-inforcement and at dawn of March 1st the advance division of the expeditionary force made surprise landing at Tzi-liao-kou, a strategic point behind the enemy. The enemy after some insignificant resistance re-

1 treated beyond the 20 kilometer line and as the re-
2 treat was in conformity with the request that the
3 expeditionary had previously made, Supreme Commander
4 SHIRAKAWA immediately ordered cessation of hostility
5 on the 3rd of March. The Chinese Army followed suit
6 on the following day.

7 "Thus, due to the ingenious tactics of the
8 operational force, the primary object of the expedi-
9 tionary was achieved and the incident was settled while
10 the main body of the re-inforcements was still on board
11 ship.

12 "The Government and the central military
13 authorities, hand in hand with the activities of the
14 diplomatic authorities, endeavored to settle the whole
15 situation upon guarantee of the Chinese side to ob-
16 serve law and order in the future.

17 "The Japanese troops voluntarily withdrew
18 at the end of March to the rear line and one and one
19 half divisions of the expeditionary force were subse-
20 quently returned to Japan. Then, through the valuable
21 efforts of the committees of the U.S.A., Britian,
22 France, Italy, Japan and China, a plan for inter-
23 national security and safety in and around Shanghai
24 was set up and a truce agreement between Japanese and
25 Chinese troops was signed on May 5th.

1 "By virtue of the provisions of the truce
2 agreement (Section 3, Appendix 2), the army had the
3 right of stationing there a certain part of its force.
4 However, from fear that it would turn out to be the
5 cause of future trouble and because of respect for
6 Chinese sovereignty, and, furthermore, as the primary
7 object of the expedition had been accomplished, it
8 was decided to withdraw, at the risk of various dif-
9 ficulties, all the troops from China and the with-
10 drawal was completed by the end of May.

11 "At that time there were opinions among the
12 people, however, in and out of office, that the over-
13 all withdrawal was still premature. The opinions were
14 regarded to be well grounded in view of past exper-
15 iences, because both in Manchuria and at the early
16 stages of the Shanghai Incident, our moderate attitude
17 in the beginning seemed to have given cause to the
18 enemy to make propaganda that they had won the victory,
19 and that it succeeded to some extent in deceiving the
20 people with a result that the over-all situation was
21 made worse on account of this.

22 "Nevertheless, the army, in view of its aspir-
23 ations for peace, carried out the over-all withdrawal.
24 Unfortunately, while giving a good impression among a
25 part of the learned and well-informed classes of Chinese

1 people, the over-all withdrawal did nothing more than
2 to spur the Chinese general public and to create amongst
3 them a contempt for the Japanese Army. In fact, it had
4 a harmful effect over the situation in Manchuria and
5 gave rise to further disturbances there. I may point
6 out here that this was the most delicate part of the
7 policy toward China, and both the government and the
8 army authorities had many difficulties on this parti-
9 cular point.

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"These circumstances will be fully shown by the government declaration, proclamations made by Divisional Commander UEDA and Supreme Commander SHIRAKAWA, my several speeches made in the capacity of War Minister concerning the withdrawal of troops and also those made in the Diet sessions, all of which will be tendered in evidence.

"6. Protection of Japanese nationals in and around Harbin.

"Hsi Hsia (a member of the Monarchist Party) who became the Governor of Kirin Province on September 30, 1931, subsequently declared the independence of his Province. However, after two months of this declaration, he caused some discord with Ting-Chao and Li-Tu of Harbin, and because of this conflict, the general situation in and around Harbin was thrown into confusion, threatening, at the same time, the safety of Japanese nationals residing there.

"The danger became more imminent when Hsi Hsia, in January, 1932, determined to conduct his subjugation campaign toward the north and started fighting on the 27th. This urgent situation compelled the Japanese nationals to request the Kwantung Army for their rescue, and the Koreans and Manchurians of the same district also frequently made the same

request.

"In the meantime, it happened that four Japanese were murdered, several Koreans were taken away, and about 4,000 Japanese and 2,000 Koreans were placed under extreme danger. The Kwantung Army ordered an aerial reconnaissance of the district, but the aircraft had to make an emergency landing near Harbin, and the crew, who were commissioned officers of the Kwantung Army, were murdered.

"The government had taken a cautious attitude toward this district, but as the situation became so serious the government considered it necessary to take measures to restore law and order in that district and to protect the Japanese residents.

"However, while the Japanese residents were to be protected, the government made it a policy that the international relations, especially the relations with the Soviet Union, should not be endangered. The Chief of General Staff, in conformity with this policy, ordered some restrictions to the Kwantung Army as to its military actions.

"The restrictions caused much difficulty to the Kwantung Army in its operation, and a corps of the army finally succeeded, after considerable hardships, in reaching the outskirts of the City of Harbin.

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"The restrictions caused much difficulty to the Kwantung Army in its operation, and a corps of the army finally succeeded, after considerable hardships, in reaching the outskirts of the City of Harbin.

1 "As the object of this campaign was to pro-
2 tect the Japanese nationals in that district, and as
3 the object was thus accomplished, the main body of the
4 expeditionary force retraced its course without even
5 entering the City of Harbin.

6 "The explanatory speeches made by Foreign
7 Minister YOSHIZAWA on January 31, 1932, at the plenary
8 session of the Privy Council and the 62nd session of
9 the Imperial Diet, the minutes of which will be
10 tendered in evidence, will clarify the circumstances
11 in which this campaign was carried out.

12 "7. Independence declaration of Manchukuo
13 and its recognition; also the attitude of the Japanese
14 central military authorities toward it.

15 "Soon after the restoration of law and order
16 in Chinchow, I think it was in the beginning of
17 January, 1932, Staff Officer ITAGAKI of the Kwantung
18 Army came to Tokyo and reported to me the situation
19 in Manchuria, the picture of the independence movement
20 and Commander in Chief HONJO's view of the general
21 situation.

22 "According to the reports I received, each
23 Province of Manchuria had declared its independence
24 and it was in such a precarious condition that a single
25 false step would lead the whole situation into a state

of chaos where each local regime held its own sphere of influence. On the other hand, there was an aspiration rapidly developing among the influential people all over Manchuria to found a new state. In fact, this aspiration was getting so irresistibly strong among them that it was almost impossible for the Kwantung Army, which was neither forcing a military administration nor was it provided with sufficient strength to maintain law and order without seriously taking this new situation into consideration. In connection with this report, I further learned the following facts: That the unanimous opinion of those who were concerned in this independent movement was to have Mr. Pu-Yi as the ruler of the new state; that Commander in Chief HONJO's opinion was to leave the matter to them and not to take any measure which might interfere with the zealous aspiration of the Manchurian people.

"On hearing this report, I thought of the necessity of paying attention to the international problems which might arise out of Manchuria's independence declaration. However, I reported this information to the Premier.

"The Premier had known by that time what was going on in Manchuria and was of the opinion that the

of chaos where each local regime held its own sphere of influence. On the other hand, there was an aspiration rapidly developing among the influential people all over Manchuria to found a new state. In fact, this aspiration was getting so irresistibly strong among them that it was almost impossible for the Kwantung Army, which was neither forcing a military administration nor was it provided with sufficient strength to maintain law and order without seriously taking this new situation into consideration. In connection with this report, I further learned the following facts: That the unanimous opinion of those who were concerned in this independent movement was to have Mr. Pu-Yi as the ruler of the new state; that Commander in Chief HONJO's opinion was to leave the matter to them and not to take any measure which might interfere with the zealous aspiration of the Manchurian people.

"On hearing this report, I thought of the necessity of paying attention to the international problems which might arise out of Manchuria's independence declaration. However, I reported this information to the Premier.

"The Premier had known by that time what was going on in Manchuria and was of the opinion that the

1 question of independence should be left alone, only
2 he considered that the international problems as men-
3 tioned in the above should be studied.

4 "The decision of the government on this prob-
5 lem was also to leave it alone to the Manchurian people
6 and to make no interference with it inasmuch as the
7 primary concern of the government was in preservation
8 of law and order.

9 "In the meantime the independence movement
10 in Manchuria made further progress and then a decision
11 for independence was reached on February 28th among
12 the influential people of Manchuria with an addi-
13 tional resolution to ask Mr. Pu-Yi to become its
14 ruler. Then, the independence was declared on
15 March 1st, and Mr. Pu-Yi became its President on the
16 9th of the same month.

17 "The Kwantung Army, whose primary duty was to
18 secure the peace and order in Manchuria, wished that
19 the newly born regime would respect, as it had de-
20 clared, the international treaties and external regu-
21 lations, and would base its administration, internally,
22 upon the people's will, so that an ideal nation where-
23 in the King's Way is fully observed under the har-
24 monious collaboration of five races, a real happy
25 land, free from all the unfortunate incidents in the

1 past, should be realized. The attitude of the Kwan-
2 tung Army was that of watching its development, but
3 not to make any interference with it.

4 "However, preservation of peace and order and
5 protection of Japanese nationals, which were the main
6 duties of Kwantung Army, had to be conducted in such
7 a way as would correspond to the ever-changing situa-
8 tion, and so the Kwantung Army had discussions with
9 the new regime concerning these local matters exclusive-
10 ly.

11 "These reports from the Kwantung Army to the
12 central military authorities were reported to the
13 government by the latter as soon as they were received.
14 The government, in view of the actual state of affairs
15 in Manchuria, reached the conclusion that there was no
16 alternative but to leave to the discretion and judg-
17 ment of the Commander in Chief of the Kwantung Army
18 the preservation of peace and order in Manchuria and
19 decided to observe the further development of the
20 situation.

21
22 "I also followed this policy of the govern-
23 ment and carefully watched the situation so that I
24 should not make any mistake in the future when counter-
25 measures were to be taken.

"The Foreign Office viewed this problem to be

1 a case of a domestic split of a nation and that the
2 independence was not an infringement of international
3 law. Under the circumstances, all that the army
4 could do was to follow the policy of the government
5 and devote its efforts in successfully carrying out
6 its original duty of preserving peace and order and
7 securing the national defense of Manchuria.

8 "In the meantime, the new regime gradually
9 consolidated its foundation and so the government,
10 with a view to avoiding further disturbances in Man-
11 churia, decided to cooperate, whenever possible,
12 with the new regime. The government made explanation
13 of this policy at the 61st session of the Imperial
14 Diet.

15 "I have never heard that Premier INUKAI dis-
16 patched Mr. KAYANO as a special envoy to the Nanking
17 Government for a friendly understanding, as was tes-
18 tified to by Mr. Takeshi INUKAI. Even if it were
19 true, it must have been of a private nature. Mr.
20 INUKAI's further testimony that Premier INUKAI talked
21 over the matter with a chief of a section of the
22 General Staff and that the chief of the section, be-
23 cause of this talk, was relegated to another post is
24 entirely wrong. Mr. INUKAI did not mention the name
25 of the colonel, but from his testimony that the colonel

1 was relegated to the Commander of the Ranan Regiment
2 and also from the testimony given by witness FUJITA,
3 it is clear that he meant Colonel SHIGETO. Colonel
4 SHIGETO was sent out of the central military author-
5 ities, together with other people, because of his hav-
6 ing had some relation with the March and October
7 Incidents, and because of this, he was made an object
8 of the army's 'purging shift' of military personnel.
9 Witness FUJITA also gave evidence to this effect.

10 "I had several interviews with the Premier
11 to discuss the Manchurian problems, but never had we
12 any friction of opinion between us. I always dealt
13 with the matters in accordance with the fixed policies
14 of the government, and whenever a new problem arose,
15 I fully discussed it with the Premier and followed his
16 decision about it.

17 "With regard to Premier INUKAI's attitude
18 toward the international problems, I never perceived
19 in him any sign of an aggressive attitude. Not only
20 Premier INUKAI alone, but the Kwantung Army was eagerly
21 wishing for the ideal progress of Manchukuo and that
22 was all that they desired for this new country. This
23 fact has already been clarified before this Tribunal
24 by the will of late General HONJO and other evidence.
25

"PART II.

1 "Next I shall refer to the question of
2 official recognition of the state of Manchukuo.
3 Primarily this question, which was purely an inter-
4 national diplomatic matter, was under the charge of the
5 Foreign Office; accordingly, the Army did not take any
6 step in this matter and except for those problems
7 which concerned the maintenance of peace and order
8 and problems of national defense that might arise
9 therefrom, I respected the opinion of the Foreign
10 Minister and left everything to his care.
11

12 "Manchukuo, since its foundation, had gradually
13 become a subject of discussion both in and out of Japan,
14 and the House of Representatives, on June 15th, made
15 a resolution at its plenary session that an official
16 recognition should be given to this new state.

17 "The government of Japan, after careful con-
18 sideration of the matter, decided to follow the views
19 of the Foreign Office, which suggested that the new
20 state was the result of an internal split of an inde-
21 pendent nation and that recognition of such state
22 which acquired its legal independence would not in
23 any way infringe international law. Necessary pro-
24 cedures were then taken and the formal recognition was
25 given on September 15th, whereupon the Japan-Manchukuo

1 Protocol was signed and an arrangement was made for
2 the exchange of Ambassadors.

3 "Upon this formal recognition, the Kwantung
4 Army was charged with the new duty of garrison and
5 joint defense of the new state. This new additional
6 duty meant that the entire conduct of the Kwantung
7 Army bore an international complexion by representing
8 the two independent countries, Japan and Manchukuo,
9 and so they made it their rule to confer with the
10 Manchukuo authorities before they took any action in
11 connection with the national defense and maintenance
12 of peace and order.

13 "Thus the situation made its natural develop-
14 ment from its formation to formal recognition, and
15 along with this development, Japan found it necessary
16 to determine her attitude, toward this state of
17 affairs. The government of Japan, from her desire for
18 the sound development of Manchukuo as her friendly
19 neighbor, decided to give Manchukuo, in compliance
20 with her request, all the necessary assistance in her
21 power, and by doing so, to take measures to prevent
22 activities causing disturbances in Manchukuo.

23 "That Japan had neither the intention of
24 making Manchukuo her cat's paw, nor violating inter-
25 national law can be easily ascertained from the

1 speeches made by the Premier and the Foreign Minister
2 at the Imperial Diet as well as from their answers to
3 the interpellations at the Privy Council. This will
4 also be seen in the speech broadcasted by Mr. Ting,
5 Premier of Manchukuo, on the first anniversary of
6 Manchukuo's foundation, in which he expressed his
7 zealous ideal of founding a new state.

8 "Personally I desired that Manchukuo should
9 develop soundly along the line as was indicated in
10 her independence declaration toward the goal of be-
11 coming an ideal nation, and would acquire every neces-
12 sary qualification for an independent country.

13 "In the spring of 1934, when Mr. Henry Pu-Yi,
14 Emperor of Manchukuo, visited Japan, I was given an
15 audience with him for several hours. Mr. Pu-Yi
16 eagerly and strongly emphasized his desire of estab-
17 lishing a happy land of ODO (King's Way) and at a
18 later stage of the conversation, he sent the inter-
19 preter away and talked to me face to face by way of
20 writing on a sheet of paper, his ambition of becoming
21 the Emperor of all China, thereby restoring his ancestral
22 old Chin Dynasty there.

23 "On this occasion I dared to give him advice
24 and said that what the Emperor should do was to culti-
25 vate the virtue of Emperorship, as he had declared when

1 he ascended the Throne, and to become worthy of con-
2 fidence both in and out of the country.

3 "As this conversation will show, there was
4 not the slightest indication that Mr. Henry Pu-Yi
5 would have become a tool of the Japanese government;
6 on the contrary, there was even a sign that he would
7 take the initiative to induce the Japanese government
8 in the direction he desired.

9 "The development of Manchukuo after that was
10 not quite as it should have been. Dissatisfied with
11 this state, I refrained from attending the 10th anni-
12 versary celebration of its foundation, and I broadcast
13 what I had in mind about the situation. My views and
14 belief on Manchuria had been fully expressed in my
15 talk with Lord Lytton and others.

16 "As was explained in my speech at the 62d
17 session of the Imperial Diet, Chang Hsueh-liang's
18 activities, before the formal recognition of Manchukuo,
19 of causing disturbances in Manchuria were carried out
20 to such an extent that it compelled Japan to take
21 measures to settle the situation.

22 "10. Pacification of North Manchuria,
23 Kholombail and Jehol.

24 "The pacification campaign of North Manchuria,
25 Kholombail and Jehol was somewhat different in nature,

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1 inasmuch as Manchukuo had been founded and recognized
2 by that time, and the military action was taken to
3 discharge the army's duty to both Japan and Manchukuo.
4 In other words, the campaign was an action fulfilling
5 the army's duty as was provided in the Japan-Manchukuo
6 Protocol, and it was nothing but a domestic affair of
7 Manchukuo.

8 "Pacification campaign by the Japan-Manchukuo
9 Allied Force over North Manchuria was executed because
10 Ma Seng-shan who had once pledged his loyalty to Man-
11 chukuo plotted a rebellion of Su Ping-wen in December
12 1932 and Jehol at the end of February 1933 because of
13 a rebellion by Tan Wang-lin.

14 "In carrying out those campaigns, I drew the
15 special attention of the General Staff to follow the
16 government policy so that the expedition to Kholombail
17 would not cause any bad influence over Soviet-Japan
18 relations and warfare in Jehol would not expand itself
19 over North Manchuria. I further requested them that
20 their action should be based strictly on the Japan-
21 Manchukuo Protocol and utmost attention be made in
22 bringing about the termination of hostilities. I also
23 requested the maintenance of a very close contact between
24 the War Office and the General Staff.

25 "In Kholombail district, we were assisted

1 greatly by the good will of the Soviet Union and suc-
2 ceeded in safely saving the Japanese residents, and
3 the pacification was ended at that.

4 "In the Jehol campaign, the General Staff
5 and the Kwantung Army made it their policy to stop
6 the advance of troops at the line of the Great Wall,
7 even at the risk of operational disadvantage. There
8 was once an occasion when the troops marched over the
9 Great Wall, but they were immediately ordered to re-
10 turn. This action caused another attack from the
11 enemy, but our troops in a drive after the retreating
12 enemy reached the Soo River and stopped there. Thus
13 the policy of the government and the central army
14 authorities was strictly adhered to by the troops of
15 the Kwantung Army.

16 "In the meantime, Chang Hsueh-liang actually
17 withdrew from all official positions and an agreement
18 was reached and the Tangku Truce was signed between
19 Ho Ying-chin, representative of the National Government,
20 and Major General OKAMURA, Vice-Chief of Staff and the
21 representative of the Kwantung Army. Further details
22 of this will be given by witnesses ENDO, SABURO and
23 TAKEDA, Hisashi.

24 "11. Conclusion of the Tangku Truce Agreement.

25 "In compliance with the request of Mr. Ho

1 Ying-chin, Deputy Chairman of the Peking Subcommittee
2 of the National Government Military Committee, on
3 May 25, 1933, cessation of hostility was discussed
4 between Mr. Ho and Major General OKAMURA, representative
5 of the Kwantung Army, and the Truce Agreement was
6 signed on the 31st of May of the same year. The agree-
7 ment was confirmed by the governments of Japan and
8 Manchukuo in due course, and thus the hostilities in
9 Manchuria virtually ended.

10 "The Manchurian Incident was not primarily
11 a war in the sense of definition of international
12 law. Therefore, there was no such procedure as a
13 peace treaty. Only an agreement was reached between
14 the two parties as to several arrangements to prevent
15 occurrence of further hostilities in the future.

16 "Subsequently, the members of the government
17 of Manchukuo and those of China met at the Dairen
18 conference to discuss practical routine matters concern-
19 ing the maintenance of friendly relations between China
20 and Manchukuo. Some members of our government who were
21 in charge of such matters also attended the conference,
22 but as the matter did not directly concern the relations
23 between Manchukuo and Japan, I do not remember the
24 details.
25

"Thus the disturbances and hostilities which

1 had been rampantly prevailing all over Manchuria at
2 the time of the WAKATSUKI cabinet which had created
3 a potential danger, such as would induce at any time
4 an all-out clash between China and Japan, were com-
5 pletely settled by me within one and half year of my
6 acceptance of War Ministership to the INUKAI cabinet
7 which succeeded the WAKATSUKI cabinet, and the mission
8 charged to the army of terminating hostilities was
9 fulfilled.

10 "12. Policies I adopted after the Tangku
11 Agreement.

12 "My most important mission as War Minister
13 which was settling the hostilities having been thus
14 accomplished, I decided to take this opportunity to
15 establish plans to stabilize several internal as well
16 as external affairs. I set up the following three
17 main principles and determined upon their realization.

18 "1. Stabilization of domestic state of
19 affairs which had been in absolute chaos since the
20 beginning of the Showa Era.

21 "2: Complete purification of the army so as
22 to base itself on the principle of the foundation of
23 the Imperial Army.

24 "3. Improvement of foreign relations, through
25 which to secure peace of the world, and of the Far East

1 in particular.

2 "In June 1933 when the Imperial Diet closed,
3 I set forth to establish a practical plan to execute
4 these principles.

5 "The first thing I intended to do was to
6 purify the public mind by dispelling from Japan all the
7 evil causes accumulated since World War I, paying at
8 the same time special attention to the internal as well
9 as external state of affairs and to the specific
10 feature of Japan's national character. The best way
11 to accomplish this task was to let the people apprec-
12 iate the virtue of benevolence of His Majesty, the
13 Emperor. One of the practical plans for this purpose
14 was to petition for the grant of a general amnesty and
15 to release both the right and left wing political
16 criminals and other criminals with the exception of
17 those whose crime was of particularly atrocious nature,
18 and to give them firm warning not to repeat the same
19 folly.
20

21 "Secondly, I intended to stabilize the mind
22 of people of the rural district and fishing villages by
23 establishing means of relieving them from the extreme
24 poverty in which they were at that time.

25 "Thirdly, I thought it necessary to devise
fundamental measures to settle the confusions and

1 disturbances in political and ideological circles.

2 "My fourth intention was to find means to
3 secure the original character of the Imperial Army
4 whose reason for existence was in practicing morals,
5 and let it thoroughly understand the fundamental
6 principles of founding the army, so that the occurrence
7 of ominous incidents, which had been rather frequent
8 in the past, would be prevented in the future.

9 "Fifthly, Japan at that time was confronted
10 with several difficult international problems. I con-
11 sidered it of urgent necessity to solve all of those
12 problems by making the utmost concession that we could
13 afford, while making full assertions on what we had to
14 assert. What Japan needed then was to determine the
15 minimum extent of her self-existence and protect her
16 from being affected by the hitherto precarious state of
17 affairs in Europe.

18
19 "Under these circumstances, what should have
20 been done before anything else was to secure peace in
21 the Far East, and in order to do so, I determined to
22 hold an international conference among the countries
23 interested in Far Eastern affairs. My intention was
24 first to establish peace in the Far East and on the
25 Pacific after thorough deliberation upon pending matters
among the participants of this international conference,

1 and then make it the cornerstone on which to secure
2 world peace.

3 "The matter was, however, too grave to be
4 decided instantaneously. I spent the whole of July
5 and August in studying practicability of this plan
6 as well as in preparation of preliminary matters. In
7 September I prepared a basic suggestion for this plan,
8 and suggested to the Premier to make a definite plan
9 based on my suggestions, so that it may be presented
10 for deliberation at the Imperial Diet.

11 "Petitioning for amnesty seemed to me the
12 most difficult problem. On this question, I gained
13 the approval of the Navy Minister, and the suggestion
14 was put to the Premier as an agreed opinion of both
15 Navy and Army.

16 "There were several objections to the amnesty
17 to be granted to the criminals of the extreme right and
18 extreme left wings. I maintained that however wrong
19 they may have been, their misconduct had arisen from
20 their passion to improve the future of their country
21 and community.
22
23
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25

"It was the unfortunate circumstances in which they were brought up or their narrow prejudice that had driven them to blindly rush to such an extreme ideal. They were nonetheless valuable subjects of His Majesty to whom his virtue of benevolence should equally be extended. I insisted that this was the characteristic feature of our national polity, and endeavored to realize it.

"The question having developed thus far, Premier SAITO ordered the people of the government in charge of this type of work to study the practical side of this plan, and, apart from this, he successively held conferences among the ministers who were related to the subject matter of the plan. Five Minister Conferences concerning foreign affairs and national defense were often held and other Five Minister Conferences concerning rural district problems being that they were a part of domestic political problems were also frequently held. I attended these conferences together with Mr. MITSUCHI, Minister of Railways.

"Both of these conferences met more than twenty times and the gist of the plan was thoroughly discussed by the end of the year. There were several matters of which even definite plans were set up.

"The basic study of the plan showed due

1 progress and a communique in the form of a memorandum
2 was given on matters concerning foreign affairs and
3 national defense in October 1933. Some very impor-
4 tant decisions were reached concerning rural district
5 problems which were part of the problems for the
6 domestic council.

7 "My intention was to establish definite plans
8 for all the subject matters by the end of January
9 1934, when the Imperial Diet was expected to be con-
10 vened, and to present them to the Diet for delibera-
11 tion. The government, army and Diet, should seek for
12 the stabilization of internal affairs by their re-
13 spective function, and these efforts, combined with
14 the activities of the diplomatic branch would induce
15 the whole situation to opening the Far Eastern Peace
16 Conference. This was my intention and I did my best
17 for its realization.

18 "As I devoted my whole attention after con-
19 clusion of the Tangku Truce Agreement to this matter,
20 I had not much interest in other problems and even
21 when I had some objection or different opinion on
22 some matters, I usually let them go at that.

23 "On the first of January, 1934, while the
24 plan was in the midst of deliberation, I fell serious-
25 ly ill and was confined to bed. However, as I most

eagerly wished to execute this plan at any cost, I recommended General HAYASHI as my successor, and I resigned from the post of War Minister.

"By that time, the essential portion of my plan was still being discussed, part by part, by the respective Cabinet Ministers but it was not yet ready to be presented to the Cabinet meeting. Such having been the case, when I was resigning from my post, I sent to the Premier this suggestion of my plan, together with a letter, expressing all my views and beliefs, and asked him to expedite the opening of the Cabinet Meeting for this plan.

"Unfortunately, not only the general situation failed to develop as I had expected but the internal conditions of the army authorities changed radically. Dissatisfied with the state of affairs I decided to avoid being materially involved in any of the official matters. My successor, General HAYASHI, after four months' tenure of office, had to resign for personal reasons and recommended me as his successor, but because of this dissatisfaction, I persistently declined its acceptance.

"In the meantime, things completely turned to the worse, and after two years from the time of my resignation, the 2.26 Incident forced myself and other

senior members of the army to leave active service altogether.

"For two years from my resignation from the War Ministership to retirement from active service, I occupied the post of War Councillor, but not a single enquiry of important nature was made to me, and so there is nothing to state about this period.

"Further, this was the period when the internal condition of the army was in absolute chaos, and as I was always placed outside its central circles, I did not know the helm of military affairs at that time. All of these conditions will be shown by documentary evidence and witnesses.

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"13. International Treaty Problems.

1 "Diplomatic affairs were not under the
2 charge of the War Minister. As the War Minister, I
3 only attended to what matters were under my charge
4 and disposed of them in accordance with the policy
5 determined by the government and so I did not know
6 much of the diplomatic matters.
7

8 "Decision of a diplomatic affair was usually
9 done upon investigation and opinion of the Foreign
10 Minister. When it had an important bearing upon
11 other departments of the government, the Minister of
12 such Department was consulted, and when it was suffi-
13 ciently important as to be related to all Departments
14 in a general way, it was usually discussed at the
15 Cabinet meeting. Otherwise, most of them were dis-
16 posed of by the decision of the Foreign Minister.
17

18 "With regard to international treaties in
19 connection with the Manchurian Incident, the WAKATSUKI
20 Cabinet had already invoked the right of self-defense,
21 and the Premier and Foreign Minister of the INUKAI
22 Cabinet also several times declared the continuation
23 of this right of self-defense.
24

25 "I was told that our action was within the
limit of action for self-defense, about which every
signatory of the Non-Aggression Pact had reserved the

1 right of execution, and a prominent scholar of inter-
 2 national law defined, 'The act of self-defense is
 3 conducted until pressure by violence and menace is
 4 removed.' Moreover, there was a reservation made
 5 by Japan on December 10, 1931, at the Council Meet-
 6 ing of the League of Nations, which was approved by
 7 the Council, of the right of subjugating bandit
 8 troops and lawless elements. The army acted within
 9 the extent of this right based on the policy de-
 10 termined by the government.

11 "As for the problems concerning independence
 12 of Manchoukuo and its subsequent recognition, Premiers
 13 and Foreign Ministers of the INUKAI and SAITO Cabinets
 14 gave explanations at the Imperial Diet and the Privy
 15 Council. They said that the independence was a natural
 16 result of an internal split of a nation conducted by
 17 her own people and that the Nine Power Treaty had not
 18 provided any restriction on such action. They fur-
 19 ther said that the independence was realized upon the
 20 basis of the historical background in Manchuria. They
 21 quoted several opinions of some of the scholars of
 22 international law and said that were several instances
 23 in which the presences of foreign troops contributed
 24 toward the realization of independence.
 25

"These explanations convinced all other

1 members of the cabinet and the army continued its
2 action in conformity with this fixed policy until
3 execution of the right of self-defense was no more
4 required. As far as I remember, all of these details
5 were contained in the Views of Japanese Government
6 which were submitted to the plenary session of the
7 League of Nations.

8 "The relation with the League of Nations
9 had already been considerably aggravated before the
10 INUKAI Cabinet, perhaps due to lack of proper expla-
11 nation of the situation. It was immediately prior
12 to the formation of the INUKAI Cabinet that the
13 League of Nations decided to dispatch its Enquiry
14 Mission. This decision was quite satisfactory to us
15 and the INUKAI Cabinet hoped that the Mission would
16 arrive at an accurate recognition of the situation
17 based on the actual state of affairs. The army also
18 expected that the Enquiry Mission would make an
19 unbiased conclusion toward peace by having contact with
20 the actual conditions on the spot in the light of the
21 historical background.

22 "As I have stated above, the policy of the
23 INUKAI Cabinet toward Manchuria was immediate restora-
24 tion and subsequent maintenance of peace and order,
25 and it aimed at improvement of international relations

1 by giving cooperation and correct understanding to
2 the problems among nations.

3 "The army, also in conformity with this
4 policy, minimized its military action and devoted
5 its efforts in immediately bringing about the termi-
6 nation of the hostilities. The manner in which the
7 army settled the Shanghai Incident was a good indica-
8 tion of this policy of the army and its over-all with-
9 drawal from Shanghai served to improve, more or less,
10 Japan's international relations. Encouraged with this
11 fact, the army continued to concentrate its effort
12 on this point.

13 "The independence of Manchoukuo and its
14 formal recognition was studied, as was stated above,
15 by both the INUKAI and SAITO Cabinets. By keeping a
16 watch on the result of this study and on the prerequi-
17 site for peace and order in Manchuria, both cabinets
18 followed the natural growth of this movement and when
19 convinced of its healthy progress, decided to give it
20 formal recognition. The army, in conformity with
21 this policy of the government, strived to prevent
22 actions disturbing the peace and order, which had
23 barely been restored after several uprisings, and to
24 discharge its new task of joint defense of the state
25 of Manchoukuo.

"With regard to the League of Nations, I knew that the government had tried to obtain its understanding by tendering them written views of the government on the complexity of the character of the Incident and its suggestions for the means of maintaining peace in the future. When Mr. MATSUOKA was dispatched by the government as its plenipotentiary, the government had decided its policy of staying with the League at all costs in order to seek a proper understanding, and I think Mr. MATSUOKA was instructed accordingly.

1 "The army, also in conformity with the govern-
2 ment policy, strived to bring about a situation in
3 which Japan could remain with the League in order to
4 afford them a correct understanding of the problem.
5 However, there were continued disturbances and unrest
6 in various parts of Manchuria and before these hos-
7 tilities had been settled, the resolution of the
8 plenary session of the League of Nations was reached.
9 The hope of Japan's getting a true understanding from
10 the League having been thus frustrated, Japan had no
11 alternative but to withdraw from it in accordance with
12 the provisions of Article I and 3 of its regulations.
13 Nevertheless, Japan declared to the world by an
14 Imperial Rescript and a government communique her deter-
15 mination of collaborating with the world. This will
16 also be testified to by documents and witnesses.

17 "14. My views and thoughts on foreign affairs.
18

19 "While I was in office, foreign affairs did not
20 come directly under my jurisdiction, and accordingly,
21 I could not bring into practice my views on those mat-
22 ters. All I could do was to discharge the duty of the
23 army in accordance with the fixed policy of the govern-
24 ment. But in order to clarify the grounds on which
25 my actions toward the international problems were based,
 I feel it necessary to state herewith my fundamental

1 ideology on international problems and the subsequent
2 steps that I undertook at that time.

3 "(a) Relation with the Soviet Union.

4 "I had been in Russia for many years and was
5 one of those who had a fond feeling toward and a good
6 understanding of that country. My article in the
7 monthly magazine 'Russia' correctly conveyed my true
8 sentiment. Nevertheless, I could not advocate the
9 world Bolshevization policy of the Third Internationale.
10 My opposition to this principle and measures against
11 it was more intensified when in 1923 and 1932 members
12 of the Communist party plotted an assault on the person
13 of His Majesty the Emperor.

14 "In fact, from the end of the TAISHO Era
15 (about 1923) to the earlier period of the SHOWA Era
16 (about 1931), Japan was thoroughly subjected to clan-
17 destine activities of the Communist party manifested
18 in the form of a labor conflict and other political
19 struggles of sinister nature, and the existence of the
20 country was endangered as it never had been before. A
21 publication of Mr. Bezedovsky, the Soviet ambassador
22 in Japan in 1926 and 1927, explaining the details of
23 such activities, gave a deep warning to the world. I
24 took it as the weakness in the ideological status of
25 Japan, and did not take it so seriously as to consider

1 that it strained the relation between the Soviet and
2 Japan.

3 "I may say that I am not inferior to the
4 Communist party in the passion to relieve the poor class
5 of people, which, I understand, is one of the tenets
6 of that party. However, my belief is that if the
7 administration under the Emperor based on the original
8 doctrine of this country is realized, not only the
9 poorer class of people, but the whole people in general
10 can enjoy better welfare without being forced to any-
11 thing. This was clearly manifested in the message of
12 one of the Emperors who said, 'Should there be a single
13 person among the whole population who is not given his
14 proper place, we are to blame for that.' I believed
15 that neither violence nor crafty measures was required
16 in providing welfare to the people. My opinion was
17 if the Soviet Union believed in communism, that was
18 their affair and we had no reason to interfere with
19 it. Every country is entitled to follow its own policy
20 in accordance with the internal condition of that
21 country. This having been my conviction, my opposition
22 to the Third Internationale did not go as far as to
23 advocate interference with the Soviet Union.

24 "I felt at that time the necessity of taking
25 self-defensive measures against the menace of eastward

1 infiltration of the Soviet influence and of the very
2 active policy of the Third Internationale of Bolshe-
3 vizing the whole world, but never had I felt the
4 necessity of preparation of any positive military action
5 against the Soviet Union, to say nothing of taking
6 such action.

7 "To cope with this menace of the Soviet Union,
8 there may have been several researches and suggestions
9 among the people whose duty was to deal with such
10 matters, and I believe those in charge of the matters
11 would have devised measures within the extent of their
12 duty, but I have reason to believe that such measures
13 should not have exceeded the extent of research. The
14 research alleged by the prosecution to have been made
15 by KAWABE and KASAHARA would have been one of their
16 opinions as members of the General Staff, but whatever
17 it may have been, it had no relation with me. As far
18 as I knew, no positive plan of the responsible author-
19 ities against the Soviet Union existed. On the con-
20 trary, the fact was that the army had once placed much
21 expectation in the change of policy of the Soviet
22 Union.

23 "To the conclusion of that Non-Aggression
24 Pact, I was not necessarily opposed in principle, but
25 I seriously and carefully listened to public opinion

1 that before signing such pact as the Non-Aggression
2 Pact, all the pending problems between the two coun-
3 tries ought to be settled upon the basis of sincerity
4 by both parties, as otherwise, the pact was destined
5 to fail and was apt to leave cause for future trouble.

6 "I do not admit the conclusions and the alle-
7 gation tendered in evidence by the prosecution against
8 myself. When I pointed out the obscurity of the bor-
9 ders of Outer Mongolia, it was not from an aggressive
10 intention toward Soviet as it was a defensive precaution.
11 This can be easily ascertained from the other parts
12 of the sentence around that expression.

13 "I sincerely hope that good Russians will
14 peacefully display their rich natural gift."

15 THE PRESIDENT: This is a convenient break.

16 We will recess for fifteen minutes.

17 (Whereupon, at 1445, a recess was
18 taken until 1500, after which the proceed-
19 ings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. McManus.

4 MR. McMANUS (Reading continued):

5 "(b) Relation between China and Japan.

6 "With regard to the relation between China
7 and Japan, we have been told since we were children how
8 eagerly our seniors of high ideals and experiences
9 endeavored, since the Meiji Era, to secure a firm and
10 healthy independence for China our good and friendly
11 neighbour, and thereby to bring happiness to the people
12 of our friendly nation. Such expression as Dobun Doshu
13 (same character and same race) and Shinshi Hosha (relation
14 between lips and teeth, and wheels and axis) were often
15 used to denote how the relation between China and Japan
16 should be. This was how my original conception of China
17 was formed, and I believe it was the same with all the
18 people who had some interest in China. My article in the
19 magazine Bungei Shunju entitled 'To President Chiang
20 Kai-shek and appeal to my brethren' expresses my view
21 and conception in this matter.

22 "I advocated that the cooperation of China
23 and Japan should be based upon the promotion of Oriental
24 culture which is further based on the union of eastern
25 and western culture. I expressed this opinion of mine

1 in 1925, when I had a chance of talking to some of the
2 Chinese people in Shanghai who are now engaged in im-
3 portant tasks as leaders of that country. As for the
4 means of bringing about perfect independence to China,
5 I had the occasion of giving my personal suggestion to
6 President Chiang Kai-shek in the spring of 1932, through
7 the staff of the Chinese Legation in Japan.

8 "China is destined to be our friendly neighbor.
9 I most sincerely desire perfect independence for this
10 country, but never had I dreamed of her division. This
11 is the reason why I always quote the Outer Mongolian and
12 Sinking problems for comparison.

13 "I viewed the Manchurian Incident as a kind of
14 explosion of a situation which had been brought to the
15 bursting point by variegated historical background and
16 the complicated state of affairs of Manchuria at that
17 time, and the explosion resulted in the independence
18 declaration by the people of Manchuria. In other words,
19 it was the natural result, caused by the influence of
20 the mass of the people, which could not have been stopped
21 merely by the strength of a limited number of people,
22 without first correcting its cause. If China wanted to
23 get rid of this sinister incident, she should have devised
24 adequate measures immediately after World War I and for
25 a person like myself who was charged to deal with this
Incident from its half way mark, the first necessity

1 was to put an end to the hostilities. I considered that
2 if Manchuria should turn out to be an ideal happy land,
3 whether politically independent or not, and gained the
4 approval of the world, its relation with China and peace
5 in the Far East for that matter could be somehow re-
6 adjusted in the future and I dealt with this matter along
7 this train of thought. What I really had in mind was
8 to welcome the creation of an ideal happy land on a
9 part of Chinese soil, in anticipation of rehabilitation
10 of its mother land.

11 "When I saw the Manchurian people who had been
12 under the hard rigors of living, I could not help praying
13 for realization of an ideal happy land of Kodo (King's
14 Way) as had often been talked of by the leaders of
15 Manchuria. It was not myself alone, but all the people
16 of broader views who had the same opinion as above. The
17 main thing was to bring peace immediately between China
18 and Japan and let the world recognize the fact. Re-
19 adjustment of relations between China and Manchoukuo
20 could be thereafter easily accomplished.

21 "With this view in mind, I considered as
22 War Minister that what was required most urgently was
23 to terminate hostilities. This was the reason why I
24 evacuated all the Japanese troops from Shanghai, and
25 advocated after the Tangku Truce Agreement, the opening
of a Far Eastern Peace Conference. This will be proven

1 by witnesses and documents.

2 "The Marco Polo Incident occurred four years
3 after the Tangku Truce Agreement. It would hardly be
4 necessary to say that this Incident had no relation to
5 the Manchurian Incident. I acceded to the request of
6 Premier KONOYE, accepted the post of Cabinet Councillor
7 and Education Minister in his cabinets. The object of
8 the Premier was to let me find means to terminate the
9 China Incident. I did my best to comply with the request
10 of the Premier, but my power was not strong enough to
11 bear any fruit along this line.

12 "On the occasion of the Nanking campaign, I
13 opposed the act of occupying the enemy capital. I thought
14 it was detrimental to the feelings of the people of both
15 countries in the future. This was why I deplored the
16 occupation of that city.

17 "It was then I thought of the poem of seven
18 steps of Tsao Tzu-kian.

19 "It is my belief that if the leaders of China
20 and Japan and the leading countries of the world had a
21 little deeper appreciation of the relations between
22 China and Japan, the Marco Polo Incident would not have
23 had such repercussions as it did.

24 "It was from these same views that before the
25 occupation of Canton and Hankow, I made my suggestions

1 and opposed the military action against those cities.
2 However, at that time I was not a member of the army
3 authorities, nor was I keeping contact with the actual
4 state of affairs and so my hopes were not fulfilled.
5 I have never dreamed of aggression against China and
6 never acted accordingly. In fact, I placed my utmost
7 importance in the cultural and spiritual unity between
8 China and Japan.

9 "(c) Relations with the U.S.A. and Britain.

10 "I am not a so-called pro-Anglo-Saxon, nor am
11 I, of course, an anti-Anglo-Saxon. I am a Japanese.
12 I can not bear the sight of Japan being held in contempt
13 by others or being reduced to destruction. Moreover,
14 I am of the opinion of obeying His Majesty the Emperor
15 and bringing about peace and welfare upon the basis of
16 the original doctrine of Japan. I believed so and I have
17 practiced so. This was not an opinion formed from so-
18 called divine-inspirationism or from dogmatic ultra-
19 nationalism. On the contrary, I trust it is a most humane
20 principle agreeable to the world's omnipresent natural
21 law. With this principle in mind, I did not try to cater
22 to the current trend of making omnipotent Germany and
23 Italy. Because I did not do so, I was sometimes blamed
24 and abused as a pro-Anglo-Saxon. It has not been my
25 practice to flatter or fawn upon others. I was sometimes

1 Unscrupulous in commenting upon what seemed to me wrong,
2 and warned about the same, but I was never reluctant in
3 praising what I believed to be right. Above all, I cannot
4 help feeling grateful throughout my life to the obligation
5 under which I was once placed. On such an occasion, I
6 always expressed my gratitude whatever the reason for
7 the obligation may have been. It was in this sense
8 that I opposed the suggestion that the monument of
9 Commodore Perry in Kuriham should be removed. I expressed
10 similar types of opinions on several occasions. It
11 was one thing I could not understand why, because of my
12 above belief and attitude, I should have been called during
13 the war by the opportunists and by those who were
14 obsequious to the current trend to be unpatriotic pro-
15 Anglo-Saxon.

16 "It was my consistent ideal that war should not
17 be waged to satisfy meaningless desires. Except for some
18 special occasions, war is apt to leave behind it certain
19 aftermaths of personal feeling. Japan had never fought
20 against the U.S.A. or Britain. On the contrary, it
21 was my belief that Japan had been under the obligation
22 of those two countries for the past ten years in
23 connection with the crisis with which Japan had been
24 confronted. Britain in particular was our ally for many
25 years in the past, and to the U.S.A. while we had owed

1 her much financially, there was not the slightest
2 friction of feeling.

3 "There had only been a slight unpleasant
4 feeling between the two nations in connection with
5 the racial problem and the Washington Conference. How-
6 ever, even on these matters, I think there was sufficient
7 understanding among the people of learning and fame in
8 the U.S.A. and Japan. Furthermore I did not take it any
9 more than as a mere political problem, in which there
10 was not the slightest factor of danger for the relations
11 between the two countries.

12 "To be quite frank, the relation between the
13 U.S.A. and Japan after the Manchurian Incident had not
14 always been a pleasant one. Of course, each party must
15 have had its own reason to remain so, but the main thing
16 hinged upon sentiment and misunderstanding, and I
17 believed it was not so deeply rooted as would completely
18 destroy the friendly relation which had existed between
19 the two countries.

20 "During the time of the Manchurian Incident,
21 I was one of those who was worried over the general
22 situation of the world. I had had sincere faith in
23 Britain's refined diplomacy and the U.S.A.'s power of
24 enforcement, and upon those I placed much expectation
25 to save the world from the deteriorated situation facing

it.

"I expressed my opinion to many of the well-informed people of learning and fame in both Britain and America and wanted to adjust through those people the application of the sanctions of the League of Nations, and also, more importantly, to prevent the explosion of the general unrest which was then prevailing all over the world. I believed I was doing much good for the sake of world peace, and I repeatedly warned them that unless steps were taken along the line as I suggested, the situation in Europe was suggestive of a world war.

"It was also from my fear of the above that I desired that those people improve the method of application of the sanctions of the League of Nations, based more upon the actual facts than anything else.

"It looked to me that the U.S.A. had maintained an indifferent attitude having stayed outside the realm of the League of Nations, and therefore, was in a position to make a calm and unbiased judgment of the world's state of affairs and Britain was also, in my opinion, in the same position, because of her rich experience in dealing with important international problems. The rest of the countries were, I thought, too busy in rehabilitating the damages of World War I

1 to do anything else.

2 "Japan had been recognized as having the power
3 of maintaining the security of the Far East, and so I
4 considered that much could be contributed to the world's
5 peace if those ~~three~~ countries, Japan, U.S.A. and Britain,
6 discussed the basic policy of peace in the world with-
7 out prejudice and bias.

8 "Because of this conviction, I had deliberate
9 discussions over the world's state of affairs since the
10 outbreak of the Manchurian Incident with Sir Lindley
11 and other successive British Ambassadors to Japan and
12 Major-General Piggot, British Military Attache and
13 others. I also appealed to the learned American people
14 to call their attention to the situation in the East.
15 Mr. Releigh, lecturer of the Oxford University was
16 another person with whom I had hearty discussion. I also
17 appealed to a group of foreigners in my speech at
18 Karuizawa in the summer of 1934.

19 "In these speeches and discussions, I frankly
20 indicated the points on which I thought there should be
21 self-reflection and reconsideration on the part of the
22 U.S.A. and Britain. It had not been my practice to
23 flatter, nor was it my habit to commit myself to any-
24 thing unreasonable, to say nothing of the abuse of
25 armed force.

1 "It had been my belief that world peace could
2 only exist if people based their conduct upon warm-
3 heartedness and justice of natural law, restricted
4 their selfish desires and conceded to others to the
5 utmost to such an extent as would not impair their self-
6 existence.

7 "At the time when the question of importation
8 of Siamese rice was much discussed in Japan, I insisted
9 that we should endure some economical disadvantages to
10 accede to the request of Siam so that we could express
11 our appreciation of the warm friendship that Siam had
12 shown us for many years in the past. I explained this
13 to the people of rural districts in order to gain their
14 understanding of the question.

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1 "When we had an occasion of negotiating with
2 Lancashire in connection with our exportation of cotton
3 piece goods, I insisted that we should make the best
4 possible concession in the negotiation and should not
5 effect any undue pressure upon Lancashire, and that
6 all international problems should be settled from a
7 broad point of view. This conduct of mine was always
8 based upon the belief as I have stated above.

9 "It was my opinion that in facing the activ-
10 ities of the League of Nations or fulfilling the pro-
11 visions of international treaties, Japan should always
12 stand on this belief, that by no means should she lose
13 sight of her ultimate object in selecting the means.
14 I advocated from the same belief that those who had
15 power should be right and those who were right should
16 have power. The idea of power to power principle was
17 one thing I detested most.

18 "I believed that all of these assertions could
19 be fully understood by Britain and America, and heartily
20 desired that by understanding them, they would contri-
21 bute to the peace of the world. I feel ashamed in be-
22 ing even alluded to as a person advocating world dom-
23 ination or aggression and expansion.

24 "My Ideas

25 "In 1895, I was much disturbed with an

1 incident known as 'Three Power Interferences' which
2 resulted in Japan's retrocession of Liaotung, and it
3 caused me to join the army to defend the motherland.

4 "I participated in the Russo-Japanese War
5 when I was a Lieutenant. In World War I, I was with
6 the Russian Army at the eastern front of Europe and
7 had ample opportunities of witnessing the true nature
8 of war among the civilized countries.

9 "This experience affected greatly the views
10 of war which I had had by that time, and became the
11 second epochal period in the history of my ideology.
12 The essence of my new ideology was that war, if inevit-
13 able, should be the war of human beings not the struggle
14 among beasts. I came to have new ideas as to weapons,
15 style of fighting and equipment for national defense,
16 and with a view to lessen the war damage have made an
17 appeal based on this idea to the people both in and out
18 of Japan for the past twenty years.

19 "Parallel with the above advocacy, I specu-
20 lated over the basis of peace, namely, the means with
21 which to avoid the occurrence of war. I came to the
22 conclusion that the existing international treaties
23 alone were not only virtually insufficient to avoid
24 war, but they sometimes caused war, and I intended to
25 improve this shortcoming.

1 "There were numerous causes of war, but
2 economic pressure, menace on self-existence, denial
3 of the special characteristics of a nation and racial
4 prejudice constituted their principal part and so far
5 as they were not completely eliminated, war was un-
6 avoidable. The method of maintaining peace by way of
7 keeping a certain balance or armament among the nations
8 was nothing but a camouflaged peace, which could be
9 easily broken by a miscalculation on the part of a
10 nation over the balance of her armament and that of
11 other nations. Once the peace was broken, the scale
12 of equipment and installation for war and the selected
13 arms of precision would give cause to boundless calam-
14 ity. I, therefore, considered it the duty of a civil-
15 ized nation to go a step forward to study the funda-
16 mental cause of war, and take every possible opportunity
17 to propagate this idea to the people of the world.

18 "There was another point to be considered.
19 After World War I, a disruption took place in the world
20 of thought dividing the whole world into three ideo-
21 logical circles, and each circle contested one another
22 beyond the barrier of economy and living.

23 "I perceived a danger of inducement to war in
24 this conflict of thought. I drew attention of the
25 people to the necessity of securing a fundamental

1 ideal for establishment of peace, and in order to
2 achieve this purpose, I advocated the amalgamation of
3 eastern and western culture, enhancement of the spirit
4 of mutual concession, and, in order to heighten the
5 sense of sympathy I advocated Kodo (Imperial Way.)

6 "Thus, I endeavoured to harmonize the inter-
7 ests of the world to avoid the potential calamity, but
8 unfortunately most of the countries of the world were
9 indifferent to this advocacy because of their lack of
10 recognition of this fundamental ideal and each rushed
11 forward to expand its influence into the world accord-
12 ing to its long entertained or newly harboured ideal.

13 "After World War I, two world offensive move-
14 ments occurred with the support of armed force, one
15 was the World Bolshevizing Movement and the other was
16 Nazism as a totalitarian nation. Japan's attention
17 was drawn to this and the necessity of self-defense
18 impressed her. I personally considered that the most
19 effective self-defense could be carried out by promot-
20 ing the sense of morality and justice.

21 "Primarily, my views of peace or views of life
22 do not admit of territorial expansion. Amalgamation
23 of a nation which had its own race and history was one
24 thing I definitely rejected. I said it was one thing
25 to protect the land of their ancestors and it was quite

1 another to expand it. I considered that a land other
2 than its own could be developed as a source of raw
3 materials under the principle of mutual help. That
4 was why I objected to the amalgamation of Korea and
5 although I was abroad when it took place, I sent a
6 letter to my senior, expressing my views, and insisted
7 that Japan should cooperate with Korea by respecting
8 its civilization.

9 "Such having been my views, I can clearly
10 declare that never in my life have I entertained an
11 idea of aggression, to say nothing of world domination.

12 "If I may be allowed to express my views, such
13 ambition as territorial expansion is nothing but an
14 infantile glory which is far from permanent welfare.

15 "With regard to Manchuria, I accepted the
16 post of War Minister when Manchuria was in a turmoil
17 of disturbances. My whole-hearted attention was de-
18 voted to nothing but terminating the hostilities. As
19 I was so deeply impressed solely with the miserable
20 conditions in which the Manchurian people lived I took
21 a sympathetic view in the establishment of a happy
22 land of King's Way (Kodo.) Further, I was favorably
23 impressed when, after the foundation of Manchoukuo, by
24 the zealous aspiration of the Manchurian people, the
25 leaders of that new country made Confucianism, a

1 doctrine originated in China, their principle for
2 creation of an ideal country. The complicated inter-
3 national problems of Manchuria had not slipped out of
4 my mind, but since the independence had been declared,
5 I wished from this sense of morality, the realization
6 of an ideal nation.

7 "However, as time passed, it did not develop
8 in the way that I had hoped and several petitions and
9 bitter criticisms of the Manchurian people reached my
10 ears. Worried over this situation as I have stated in
11 the above, I declined to go to Manchuria to celebrate
12 her tenth anniversary of independence and did not
13 attend the celebration held in Japan.

14 "I have already stated that my views of war,
15 nation and peace which I had had since my participation
16 in World War I, were definitely opposed to imperialism,
17 exclusive egoism and the coercion control principle.
18 My conduct was always coherent to this principle. I
19 feared that the manner in which the powers, after
20 World War I, dealt with Germany were portent of future
21 trouble. Pressures which all the countries that won
22 victory over Germany, (including Japan) imposed upon
23 this defeated country as well as the attitude of the
24 newly awakened Germany toward the world were quite
25 precarious from the standpoint of world peace, and

1 because of my aforementioned views, I expressed my
2 desires, whenever I could, for the alleviation of such
3 conditions.

4 "Historically, the strained situation of
5 Japan in the past has been continuous, but as far as
6 I was concerned, I had my own ideal as above stated
7 and because of this, I disassociated myself from the
8 movements before and after my tenure of War Minister.
9 I went my own way in accordance with my ideal, and did
10 not take any action in concert with the people who had
11 different views. On the other hand, I endeavoured to
12 propagate my idea of international morality and beliefs
13 throughout the world.

14 "15. Armament and my policy in directing
15 the Army.

16 "The equipment and strength of our army was
17 so poor that it was not even as good as that of Poland.
18 In 1921 the army authorities desired to raise the stand-
19 ard of armament of the entire Japanese Army to only
20 half of that of the other powers at the time of World
21 War I. For this purpose, a bill of approximately 460
22 million yen for running expenses for ten years was
23 presented to the Diet and was duly approved. However,
24 the payment of the whole amount was successively post-
25 poned and in 1931, which was a year before the

1 Manchurian Incident, the sum of 360 million yen was
2 still left unused. That is to say, not even one
3 quarter of the original plan was accomplished.

4 "I had my own view toward the establishment
5 of the army and war, which I had harbored since World
6 War I. I believed in the necessity of modern equip-
7 ment for an independent nation, but I had never
8 dreamed of completing armament for the sake of waging
9 war. I regarded the army as a symbol of morality and
10 placed more importance on its spiritual element. I
11 felt the necessity of a completion of armament, but I
12 never considered its completion in connection with pre-
13 paration for aggression. On the contrary, my opinion
14 was just the reverse. However, I could not bring this
15 ideal of mine into practice, having been disrupted by
16 the necessity of settling the Manchurian and Shanghai
17 Incident.

18 "It was also from this ideal of mine that in
19 1932 and 1933, I conceded the sum of 15 million yen
20 and 10 million yen respectively from the Army budget
21 to the Navy and cooperated with the Finance Office and
22 Navy Office. I thought it would be detrimental to the
23 credit of Japan if the army and navy disagreed with
24 each other for a matter of a small amount in the budget
25 and if, because of this, the Navy Minister should resign

from his post. As far as the army was concerned,
 1 serving the country under the complete harmony of
 2 the army and navy was its first moral duty and
 3 accomplishment of this mission was considered by it
 4 much more important than a monetary question of ten
 5 or fifteen million yen.

6 "The army budgets in 1932 and 1933, exclud-
 7 ing the budget for the Manchurian Incident, was about
 8 one hundred and seventy million yen each and there are
 9 virtually no increases in comparison with those of
 10 preceding years. On the contrary, 1933 showed some
 11 decreases. New installations and equipment which had
 12 to be provided to cope with the incident were paid by
 13 appropriating the budget of the following year. Under
 14 such circumstances, any positive preparation of war
 15 was impossible.
 16

17 "The army budget for the Manchurian Incident
 18 while I was War Minister was one hundred and forty or
 19 fifty million yen each for the two successive years.
 20 After the recognition of Manchoukuo, the army was
 21 charged with the added task of Manchurian national
 22 defense by the provisions of the Japan-Manchoukuo
 23 Protocol. Also, there was some reinforcement of rail-
 24 way guards in compliance with the expansion of the
 25 railways to be guarded, but this did not involve any

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material increase of expense. In attending to the joint defense of Manchoukuo, the military installations in Manchoukuo were limited to those of a defensive nature, and nothing was undertaken by way of offensive action.

"Establishment of railway lines, unification of communication systems and exploitation of natural resources were the reasonable necessities for a new state on her way to development; also from the necessity of maintaining law and order. It was nothing more than an ordinary step that a newlyborn nation should take, and Manchukuo merely did it. It is definitely wrong and groundless to accuse that Japan made Manchuria a militaristic base for aggressive war. To further support this, the military installations in Manchukuo were limited to those of defensive nature.

"As I have stated before, my view of war and view of national defense, which I had harbored since World War I, was fundamentally different from those of other people. Therefore, armaments of powers did not attract my attention and I did not approve any imperialistic policy or immoral equipment, whether militaristic, ideological or economic. The armament was consequently carried out in view of this consideration.

"In the administration of military affairs, I abolished discrimination in treatment between the rich and the poor. I also denounced the system of paying money to become a cadet and equalized the opportunity in military service. Because of this change, some of the college students who wanted to become cadets may

1 have sought some preparatory military knowledge out of
2 their desire for enlightenment. I contend that this
3 cannot be called militarization of education.

4 "I also established a policy which I believe
5 to be the basic conditions for the purification of the
6 army, and intended for the improvement in the treatment
7 of war wounded.

8 "Since this was my principle, even in armament,
9 I can definitely say that there was not the slightest
10 truth in the testimony of witness OUCHI that during my
11 tenure of office as War Minister, I militarized school
12 education.

13 "The guiding principle in my direction of the
14 army was first to make an army based upon morality, the
15 principle upon which the army was founded, and second
16 to let it display its characteristics as an army which
17 observed the Imperial Way. In order to realize this,
18 refer to my purging in the aftermath of several disast-
19 rous incidents in the past. This was the reason why I
20 conducted shifts of several of the military personnel.
21 I did my best in quieting the young officers who had
22 been dissatisfied with the situation and in the May 15
23 Incident there was not one participation in it by any
24 army officer, and I am proud to say that throughout my
25 tenure of office as War Minister there was not a single

case of any such unlawful action.

"I further endeavored to eliminate the Prussian type from the army. I insisted that the troops should further the virtue of the army to such an extent that they would not cause grudge from an opponent, and to win the favor and respect of inhabitants wherever they might be stationed. Our army in those days was apt to be ideologically confused with the Prussian army and such a conception needed correction. I, first of all, wanted some of the members of the cabinet to understand this spirit and with it to rectify the common misconception that armament was for the sake of waging war. I determined that this must be thoroughly understood by the whole public and whenever possible expressed my views in speeches and other writings.

"With regard to the strained situation of Japan, I requested the earnest reflection of the people over the current problems and urged them to place their first importance in the promotion of morality.

"The real meaning of my speech entitled 'Emergency Japan', which was offered in evidence by the prosecution, can be proved by many other speeches bearing 'emergency' in their titles. If the whole of this speech is read without prejudice, I believe the real intention of mine will be understood. The process of

1 manufacture of this film and the impression that this
2 film gave to the spectators will also be a good indica-
3 tion of the intention with which I made this speech.

4 "All of these speeches were made with a view
5 to introducing my moral views which I gained through
6 my experience in World War I.

7 "What underlies the Imperial Rescript granted
8 by the late Emperor MEIJI to the army and navy person-
9 nel is the sense of sincerity. The present Emperor
10 showed in his Imperial Rescript granted when he ascend-
11 ed the Throne that the true principle of the foundation
12 of Japan was based upon the spirit of benevolence. I
13 advocated that the army should observe the principle
14 of these Imperial Rescripts and should exert their
15 best to discharge its duty. My intention was to enhance,
16 by my advocacy, the virtue of benevolence of the Emper-
17 or among the people, and this was, I thought, the first
18 step to let the troops completely become aware of the
19 true spirit of the Imperial army. By their efforts,
20 I believe I succeeded, even in the slightest degree,
21 in removing imperialistic thought from the army, and
22 also from the people, and prevented them from egotist-
23 ical conduct.

24 "16. Military discipline during the Manchur-
25 ian Incident.

"The Manchurian Incident arose from what had been vitally important to Japan. As the ultimate object of this incident was to bring peace and welfare to both Japanese and Chinese nationals, the officers and soldiers of the Japanese Army at the front, as well as the general public in Japan were sympathetic toward the Manchurians and other people on the spot. The hostilities were not of the nature of a declared war, and so all the captives were immediately released and were given assistance to engage in peaceful work. Those who were in distress were given relief funds. These facts were made clear by the report of those who inspected conditions there. There was not a single case of massacre or violence, nor was there any report made to that effect. Lord Lytton's Report admitted this fact.

"The incident which was reported by the Chicago Tribune as having occurred near SENKINSAI was nothing but a minor skirmish between a small squad and a body of local bandits. This was exaggerated and made the subject of propaganda, as was the usual practice with the Chinese people, and the propaganda was reported by Mr. Powell and was inserted in the paper as it was. This is clear by the testimony of Mr. Powell himself, and the same may be supported to some extent by

1 the protest of the Japanese consul. The skirmish was
2 too small to be reported to me, so I did not know of it.

3 "17. The circumstances under which I became
4 Cabinet Councillor in the First KONOYE Cabinet.

5 "Since my withdrawal from active service in
6 March 1936, I had not been quite satisfied with the
7 state of affairs and was leading a life of a retired
8 man. During that time there was an occasion when, at
9 the outbreak of the China Incident in July 1937, I was
10 extremely worried about the situation and suggested to
11 Prince KONOYE my view on means of bringing about peace.

12 "It happened in September 1937 that Prince
13 KONOYE, who was the Prime Minister at that time, sent for
14 me. When I saw him, he was very much worried about the
15 China Incident and asked me if I had any idea as to the
16 means of saving the situation. It was the time when the
17 Second Shanghai Incident had broken out and the situa-
18 tion was really serious.

19 "I told him that if a frontal clash between
20 China and Japan should take place, it would not only be
21 against the policy of our country, but would also cause
22 great difficulty for Japan from the operational view-
23 point. I suggested that he should ask Lt. Gen. OBATA's
24 opinion about those matters, but he told me that he had
25 had Lt. OBATA's opinion already, and that from his

1 opinion he was more convinced of the gravity of the
2 situation. He said that it was the reason why he came
3 to me and wanted my unreserved opinion for saving the
4 situation.

5 "I told him that since the state of affairs had
6 developed to such an extent as those existing, it would
7 require a person with strong influence among military
8 circles, not a retired soldier like myself, to settle
9 the affair. I added that, in any case, Prince KONOYE
10 would require a great deal of resolution to cope with
11 the situation.

12 "In the meantime, Premier KONOYE set up an
13 organization of Cabinet Councillors and about ten
14 people including myself were appointed the Cabinet
15 Councillors. The object of this organization was to
16 seek suggestions to check the expansion of the incident
17 and to settle it.

18 "18. The functions of the Cabinet Councillors
19 and my suggestions to the Premier.

20 "The Cabinet Council was not organized into a
21 regular system of a council. Its members were to make
22 their individual suggestions to Premier KONOYE and the
23 Council had no recognized right of resolution. The
24 Councillors were to meet regularly once or twice a week.
25 However, it was to hear the latest information from the

1 governr nt or to exchange each other's views, and not
2 to discuss any fixed agenda.

3 "As the KONOYE Cabinet did not place much im-
4 portance in this system, the Cabinet Council was grad-
5 ually reduced to a nominal existence and a Councillor
6 was an honorary post for which no pay or other form of
7 treatment was given. At the time when this system was
8 established, the China Incident had considerably ex-
9 panded and the troops had reached somewhere near Nanking.

10 "I submitted my opinion to the Premier, saying
11 that to attack and subsequently occupy the capital of
12 China would only make the whole situation more serious
13 than ever, and would create a considerable hindrance
14 to the readjustment of China-Japan relations in the
15 future. I suggested that Peace should be sought before
16 this campaign took place.

17 "All the Councillors were of more or less the
18 same opinion, and the government authorities seemed
19 to have done their best in endeavoring to save the
20 situation. However, what was lacking with the govern-
21 ment authorities was a resolute determination to push
22 through their policy, whereas the military action
23 which was under the direction of the Supreme Command
24 gained more influence every day and resulted in the
25 further aggravation of the situation.

1 "I think it was around this time that a peace
2 negotiation was made through the good offices of Mr.
3 Trautman, German Ambassador in China. All of the
4 Councillors were looking forward to the success of
5 this negotiation, but the repeated efforts on the part
6 of the Japanese government were frustrated. The Coun-
7 cillors did not participate in the deliberation of
8 this peace negotiation and accordingly were not inform-
9 ed of its details. However, they eagerly expected the
10 government, in an abstract manner, to accomplish this
11 negotiation, until it proved in vain on the 16th of
12 January.

13 "Thus, the Councillors, whose duty from its
14 inception had been nullified, became a mere nominal
15 sinecure. The Councillors are charged with atrocities
16 in Nanking, but they had neither the authority nor duty
17 of controlling such an incident.

18 "19. The circumstances in which I became
19 Education Minister and the state of affairs during my
20 tenure of office.

21 "Prince KONOYE, from his sincere apprehension
22 over the situation, and desiring to devise counter means
23 against it, determined at the end of May to reshuffle
24 his Cabinet, and selected as ministers the following
25 members from the Cabinet Councillors: General UGAKI

1 was appointed Minister of Foreign Affairs; Mr. IKEDA,
2 Minister of Finance and concurrently Minister of Com-
3 merce and Industry; and myself Minister of Education.
4 He then appointed Lt. Genl. ITAGAKI as War Minister.
5 I had some expectation for this renovated Cabinet,
6 but Premier KONOYE, after the renovation, made it his
7 practice to confer on current problems only with the
8 Five Minister Conference comprised of Ministers of War,
9 Navy, Foreign and Finance, and other Ministers were not
10 invited to the discussions.

11 "At that time military operations were in pro-
12 gress, and as they were under control of the Supreme
13 Command, the Cabinet had no authority to check them.
14 Thus, while the Premier was indecisive, military action
15 gradually developed and reached as far as Wuchang, Han-
16 kow and Canton. During this time, the members of the
17 Cabinet other than those of the Five Minister Council
18 were not immediately informed of the latest state of
19 affairs.

20 "Under the circumstances, my position was merely
21 the chief of the education administration, which was en-
22 tirely outside the realm of current affairs, and all I
23 did was to promote education and its administration.

24 "20. My work as Minister of Education.

25 "The Ministry of Education, as one of its

1 fixed duties, shared with the Ministry of Home Affairs
2 the task of keeping surveillance over the General
3 Spiritual Mobilization Organization. Consequently,
4 the Minister of Education had to write in magazines
5 and make broadcasts in connection with educational matters,
6 as part of his routine duties. The drafts of
7 articles or broadcasts usually prepared by the staff
8 of ministry in charge of such matters, and the Minister
9 only made them public. The work was executed along the
10 customary line. I do not think there was anything which
11 was planned with specific intention or departed from the
12 customary practice.

13 "Excerpts of some of my books were tendered to
14 the Tribunal as prosecution evidence. To this I contend
15 that if the whole book had been read, instead of ex-
16 cerpts, what I was aiming to explain would have been
17 understood.

18 "During the earlier period of my tenure of
19 office as Education Minister, there were some in the
20 Ministry who were inclined toward flattery or fanat-
21 ically pleaded the true principle of the fundamental
22 policy of our country; there were some who were inclined
23 to agree with the Nazi ideology; on the other hand,
24 there were still some submerged elements in the schools
25 who followed communism.

1 "This situation required competent persons who
2 could regulate this confusion, and this was why I con-
3 ducted personnel shifts among the Education Office
4 Staff.

5 "I also appointed competent people who could
6 cope with confidence with the request from the military
7 authorities and other government branches so that the
8 evil practice of being obsequious to such requests could
9 be eliminated.

10 "At that time, the Education Council had already
11 been established (in 1937). This was the highest insti-
12 tution for the renovation of the education system and
13 it comprised as Councillors the most prominent persons
14 of learning and experience, both in and out of office.
15 All the important problems of education were deliber-
16 ated upon at this Council and the government policies
17 on education were decided upon by its resolutions.

18 "The inception of the advocacy for compulsory
19 education at the Youths School dates back to the be-
20 ginning of the TAISHO Era when it was then only a
21 Supplementary School.

22 "In 1937, the Educational Administration Council
23 made a report, in answer to the inquiry from the gov-
24 ernment about the question of Youths School. In
25 January 1938, at the time of my predecessor, compulsory

education was already decided upon at a Cabinet meeting.

1 Then the question was again deliberated upon by the
2 Education Council and according to its reply in July
3 of the same year, it was arranged that an Imperial
4 Ordinance be issued in April 1939 for its enforcement.
5 This new system was to give equal opportunity of educa-
6 tion to all people, and help to develop their natural
7 gifts. It is entirely wrong to interpret this change
8 as militarization of education.
9

10 "The education system in Japan since the MEIJI
11 Era had been formed after the European and American
12 lives. While the system enjoyed certain popularity
13 among the public, it offered more opportunity to the
14 well-to-do class of people, and those of talent and
15 faculty from the poorer classes found difficulty in
16 developing their natural gifts. I perceived that this
17 was contrary to our original program to let everyone
18 gain his proper place, when the Educational Council sub-
19 mitted its decision that education in the Youths School
20 should be made compulsory. I took this opportunity to
21 develop the education of the working class of youths,
22 and to give to those who showed good result in the
23 Youths School ample opportunity to develop their
24 talent.
25

"The most serious apprehension of Japan at

1 that time was the disturbance of ideological circles.
2 There was a time when communism spread widely among
3 the people, and once it became the tide of public
4 opinion; then there was a time, later, when people fol-
5 lowed Nazism or Fascism. This trend gave rise to com-
6 plications between the liberalism which had also ex-
7 isted at that time, and caused a terrible state of
8 chaos.

"The several unfortunate incidents which arose from the current situation at that time were due to the disturbance of thought on the part of the people. On the other hand, the rise of the Nippon spirit tended to create a dogmatic nationalism, which from its lack of ubiquity, was apt to fall into extreme rightism and was pregnant of much danger. The cause of this defect was due to the fault of perfunctory education which had a tendency of making the people lose sight of ideological independence and lofty ideas. In order to reform this, I advocated that the imperial virtue of benevolence and tolerance, which had been the basic spirit from the time of the foundation of our country, should be borne in mind and cultivate in it an ubiquitous character which was welcome in all the modern civilized countries of the world. Imperial admonition was my guiding principle when attending to this work, inasmuch as the imperial admonition was teaching us the basic principle of humanity with His Majesty's generosity, and I considered that that was the code that the people should observe. This principle, which had been the basic spirit from the time of the foundation of the Empire, was entirely different from militarism; not only was it just the contrary to militarism, but it was the one essentially required for the correction of the defect

in ideological circles at that time.

"21. Military Training in Schools.

"The history of physical exercise in military style which was eventually turned into military training dates back many years ago, but I am not going into its detail now. I had heard of some conflict between the education institutions and the military authorities with regard to military training in the schools, but neither of the parties had my sympathy, inasmuch as the whole conflict seemed to be due to their narrow views.

"It was quite natural that school education placed its importance in cultivating the spirit of discipline and cooperation by training. But as the result of the training depended on the character of the person who was in charge of training, there were instances when the training was executed in excess of the above object. On the other hand, there were several cases where, on account of lack of proper understanding on the part of the school authorities, liberalism was regarded as synonymous to a sloven life and students were left in an irregular and slatternly existence. Another fearful tendency was communistic ideology, which, combined with some of the political plotters, caused deterioration of the student's spirit by abetting them into the habit of disdaining such virtues as discipline,

1 moderation, cooperation and diligence, all of which
2 were indispensable to the promotion of the culture of a
3 nation.

4 "During the earlier period of my Education
5 Ministership, these fearful tendencies were gaining
6 influence, much to my regret. There were frequent
7 occasions when students were arrested and detained by
8 the police on the charge of disturbing public order.
9 These types of students were given to slandering the
10 training in the schools as being militarization of
11 school education. There were some even among the
12 teachers and professors who encouraged students toward
13 such tendencies.

14 "I changed the system of training in the
15 schools in such a way so as to observe moderation be-
16 tween the above two extremes and with it I tried to
17 promote the lofty ideals of the students.

18 "The reformation of the system of the Youths
19 School was an act of equalizing the right and duty of
20 education. By the reformation there was no increase in
21 hours allotted for training and there was not the
22 slightest evidence to show that the education was mili-
23 tarized.

24 "Military training in the schools was a part
25 of the school education, and from the viewpoint of

1 educational administration it should not have exceeded
2 this category. This was my principle in coping with
3 this training, and so any request from the army authori-
4 ties which attempted to bring it out of this category
5 met my refusal.

6 "There were occasions when in compliance with
7 the request of students and school authorities, the use
8 of modern weapons was introduced in training, but this
9 decision was an autonomous disposition of the school
10 authorities in view of the students' request, and was
11 not done by the request of the Education Ministry.

12 "While I was Education Minister I placed im-
13 portance on cultivating the moral element rather than
14 promoting the skill of combat. This moral element
15 served to reveal the Emperor's virtue of benevolence.
16 That is to say, by training I taught students to cul-
17 tivate their morals rather than to cultivate the habit
18 of depending on armed force.

19 "23. National Spirit General Mobilization.

20 "The National Spirit General Mobilization sys-
21 tem had been established at the time of the First
22 KONOYE Cabinet and its object was to straighten the
23 national spirit against the state of affairs after the
24 outbreak of the China Incident. It had been established
25 before I became the Education Minister.

1 "Its central executive organ was civilian,
2 comprised of people of learning, fame and experience
3 which had been placed under the charge of the Depart-
4 ments of Home Affairs and Education. Its main object
5 was the improvement of the people's daily life and
6 spiritual restraint.

7 "Later, there was a tendency for the policy of
8 this central executive organ to become dogmatic. The
9 HIRANUMA Cabinet, desiring to follow its policy proper-
10 ly, established a committee system with the chairman
11 of the committee to be selected from
12 among the cabinet ministers, to pursue a basic policy,
13 and all the people of learning and experience both in
14 and out of office were requested to deliberate so that
15 the committee could submit its opinion to the govern-
16 ment.

17 "In my capacity of Education Minister, I was
18 recommended to the chairmanship of this committee, but
19 most of the actual work was handled by the Intelligence
20 Bureau of the Cabinet. The committee and staff included
21 many civilians, especially women, and deliberated on
22 renovation and curtailment of daily living.

23 "However, in spite of its primary objective,
24 the discussion tended to delve into current problems,
25 diverting from its original purpose of cultivating the

1 fundamental character of the people in order to be worthy
2 of association with the modern world.

3 "What was most urgently required under the
4 circumstances was to ask the people to undertake a
5 severe introspection into their daily mode of living,
6 concentrate upon the cultivation of the spirit of endur-
7 ance and improvement of their daily life, respect social
8 morality and help them to bring about efficiency in
9 their work.

10 "In order to realize the above, I established
11 a day of self-introspection. I decided that the first
12 day of every month be called the 'Serving Day' and
13 requested the people to lead a life of restraint on
14 this day. There was an opinion at that time that in
15 view of the current situation, the 7th of every month,
16 the day of the outbreak of the China Incident, would be
17 a better day for 'Serving Day.' However, my opinion
18 was that 'Serving Day' should be disconnected with the
19 current state of affairs. My intention was to use this
20 day for permanently promoting the basic standard of
21 living of the people, and in order to get the people
22 to understand this principle, I made the first day of
23 every month the day for self-introspection. Thus I
24 tried to prevent everything from coming under the in-
25 fluence of the current situation.

"I wish to add that the National Spirit General Mobilization was entirely different in nature from National General Mobilization and Student Mobilization. The National Spirit General Mobilization was merely a part of the daily life renovation movement.

"24. International problems while I was the Education Minister.

"My duty as Education Minister was limited mainly to education administration, and the general international problems were outside the scope of my work. I have no recollection whether such matters as Premier KONOYE's declaration of the Establishment of the New Order or Foreign Minister ARITA's declaration was debated at the Cabinet Meeting.

"My non-association with the international problems was more conspicuous at the time of the HIRANUMA Cabinet. In fact, I knew nothing about those matters at that time, inasmuch as all the important problems were discussed and decided at the Five Minister Conference.

"Japan-German Cultural Agreement was first proposed to me by the Foreign Office and then Japan entered into this agreement. The agreement concerned culture only and had no political significance.

"Exchange of boys between Germany and Japan

1 was planned and executed before my acceptance of the
2 Education Ministership. The first group returned home
3 after my assumption of office. I did not see in this
4 party anything more than an ordinary social visit of a
5 tourist party. I wanted to send a similar party not to
6 Germany alone, but to all other civilized countries,
7 but could not realize it.

8 "The Khasan and Nomonhan Incidents were repor-
9 ted to the Cabinet Meeting as being mere skirmishes
10 between the border garrisons of both countries. The
11 Education Minister was not concerned in the disposal
12 of such incidents. Only one thing was clear, that the
13 government desired an amicable settlement and the army
14 acted from the beginning to end in conformity with this
15 policy. That was why those incidents did not become
16 serious subjects of discussion at the Cabinet Meeting.

17 "I did not know anything about the Tripartite
18 Pact and the Wang-Chin-wei government. I did not even
19 know how they were discussed or made. As for the sta-
20 tioning of troops in French Indo-China and the problems
21 concerning the Lesser Southern Group of Islands and
22 Hainan Island, I had not the slightest idea of what was
23 going on.

24 "25. Cabinet Councillor at the ABE and YONAI
25 Cabinets.

1 "It was quite a long time after the formation
2 of the ABE Cabinet that I was asked to become a Coun-
3 cillor of that Cabinet. (I think it was in December
4 1939). I had known that a Cabinet Councillor was mere-
5 ly a nominal post and that I could not be of any material
6 service to that Cabinet, so I first declined to accept
7 it, but the Premier was so persistent that I had to
8 accept it after all. The ABE Cabinet resigned en bloc
9 after two months of my acceptance of this post, and so
10 I did not even have a chance of talking to the Premier.

11 "When the YONAI Cabinet was formed, I was asked
12 to become its Home Minister. However, my view was as
13 I have stated above, and furthermore, the state of
14 affairs was so aggravated at that time that I con-
15 sidered it was impossible for any one, except those who
16 held strong influence over the military authorities, to
17 exercise an effective administration to cope with the
18 situation, and so I refused to accept it.

19 "Then I was asked to become its Cabinet
20 Councillor, but as my view was unchanged since the
21 ABE Cabinet, again I declined to accept it. But when I
22 was persistently asked by him to list my name among the
23 Councillors only for nominal purpose, I could not very
24 well refuse it and became a Cabinet Councillor.

25 "As my assumption of the post had taken place

1 under such circumstances, I remained its nominal member
2 and actually did not do any work. I did not even know
3 what was going on in the cabinet. It was, however, con-
4 ceivable that both the ABE and YONAI Cabinets were op-
5 posed to the Tripartite Pact and that they were eager
6 to put an end to the China Incident.

7 "26. My attitude toward the Second KONOYE
8 Cabinet.

9 "It was in September 1940, about two months
10 after the formation of the Second KONOYE Cabinet, that
11 Mr. TOMITA, Chief Cabinet Secretary, unexpectedly visi-
12 ted me and asked me to become a Cabinet Councillor of
13 the Second KONOYE Cabinet.

14 "I had been told that the establishment of the
15 Grand Rule Assistance Association and the conclusion
16 of the Tripartite Pact were going to be disclosed short-
17 ly. These were the two important domestic and foreign
18 problems over which I had had serious apprehensions for
19 some time in the past. Since these two problems were
20 to be realized, it meant that my apprehension could
21 not remain mere apprehension, but developed into some-
22 thing very serious. I decided that I could not assist
23 the Cabinet which was to commit those mistakes. In
24 fact, the things were so serious that I thought I had
25 to make a very careful consideration about it. I con-

1 fided these considerations to Mr. TOMITA and told him
2 that I could not accede to his request.

3 "On the evening of the same day Prince KONOYE
4 visited me at my house and repeated his request. We
5 had a hot discussion for more than five hours. I ex-
6 plained to him that the state of affairs at that time
7 indicated very grave consequences and I did not accept
8 his request.

9 "From March 1936 to October 15, 1937, from
10 September 1939 to November 1939, and after July 1940, I
11 was not in any official position and no public activity
12 was undertaken by me during those periods. The incid-
13 ents such as the Anti-Comintern Pact, outbreak of the
14 China Incident, stationing of troops in French Indo-
15 China, Tripartite Pact and the Pacific War occurred dur-
16 ing those periods, and so I do not think it necessary
17 for me to state anything about those incidents.

18 THE PRESIDENT: We will adjourn until half
19 past nine tomorrow morning.

20 (Whereupon, at 1600, an adjourn-
21 ment was taken until Thursday, 11 September
22 1947, at 0930.)
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